00108695

BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY.
TOWN HALL, BOMBAY.

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on 01 February, 2020

00108695

NAME.	CAUSE OF PENSION.	Yearly Amount Granted.	Amount paid in 1888-89.
		£. s. d.	£. s. d.
	Brought forward - - -		1,534 12 7
PENSIONS Granted on the ground of Distressed Circumstances:			
To the Families of Officers and Servants on the Home Establishment of the East India Company or of the Secretary of State for India in Council:			
Bell, Anne - - - -	Widow of labourer in the East India Company's service	26 - -	17 3 2
Broom, Eliza - - -	Widow of messenger at the East India House and subsequently at the India Office.	19 10 -	19 10 -
Brown, Esther - - -	- - - ditto - - - - ditto - - - - - -	19 10 -	17 10 8
Collingwood, Miss S. - -	Daughter of clerk in the East India House. Granted in 1833 part of pension granted to her mother in 1828.	30 - -	6 4 7
Crowdy, Mrs. A. - -	Wife of clerk in the India Office. On removal of her husband from the service.	40 - -	40 - -
Ibraheem, Mrs. M. - -	Widow of Professor at Haileybury - - - - -	100 - -	100 - -
Lines, Mrs. H. - - -	Widow of lithographer at the India Office - - -	15 12 -	15 13 -
Moffatt, Mrs. A. - - -	Widow of Mr. Thomas Sharp, Registrar at the India Board.	40 - -	40 - -
Noxon, M. E. - - -	Widow of messenger at the East India House and subsequently at the India Office.	19 10 -	19 10 -
Rance, Mrs. S. - - -	Wife of clerk in the India Office. On removal of her husband from the service.	100 - -	100 - -
Shires, Lucy - - -	Widow of messenger at the East India House - -	13 - -	13 - -
Sisson, Emily - - -	Widow of labourer. On the ground of her husband's service of 47 years, and of his death having been accelerated by an accident in the service.	26 - -	25 9 5
Smith, Emily - - -	Widow of messenger at the East India House and subsequently at the India Office.	19 10 -	19 10 -
To Officers whose Services were of a Special Character, &c., or to their Families:			
Andrew, Miss E. S. - -	Daughter of St. Helena Official. Part of pension granted to her mother in 1831, continued on her death in 1867 to her daughter.	25 - -	25 - -
Bell, Mrs. E. - - -	Widow of Superintendent of Customs. Special value of her husband's services, particularly of his publications connected with the Commerce of Bengal, which involved him in pecuniary embarrassment, and left his widow in destitute circumstances.	*Rs.* 150. per mensem =@ 1/5. £. 127. 10. per annum.	127 12 7
Browne, Miss C. S. - -	Daughter of an officer in the East India Company's Maritime Service.	15 - -	15 - -
Cargill, Mrs. S. - - -	Widow of Principal, Dacca College - - - - -	20 - -	20 - -
Cologan, Mr. E. - - -	Late Uncovenanted Service. Distinguished character of service (too short for pension), infirm health produced by service, and in consideration of utter destitution.	25 - -	25 - -
Munday, Mrs. A. - -	Sisters of the late Lieutenant Thomas Waghorn, R.N. Pensions on account of age and poor circumstances, in consideration of the special services of their brother in connection with the establishment of the overland route - - - - - - - - - - - -	25 - -	25 - -
Ransom, Mrs. S. - -		25 - -	25 - -
Waring, Miss. E. S. - -	Daughter of the late Mr. E. W. H. S. Waring, Bengal Civil Service. Pension granted in 1857 on account of her destitute circumstances.	25 - -	25 - -
To Officers on removal from the Indian Civil Service or to their Families:			
Impey, Mr. H. E. M. - -	On removal from the Bengal Civil Service - - -	60 - -	60 - -
Malcolm, Mr. M. - -	Late Bengal Civil Service - - - - - - -	100 - -	75 - -
Melvill, Mrs. G. M. - -	Wife and daughters of Mr. R. G. Melvill, Bengal Civil Service. In consideration of the exceptional circumstances in which they were placed by the removal of Mr. Melvill from the service - - - - - -	150 - -	150 - -
Melvill, Miss J. M. - -		50 - -	50 - -
Melvill, Miss E. M. - -		50 - -	50 - -
Monckton, Mr. G. P. - -	Late Madras Civil Service. On account of his insanity	100 - -	100 - -
Price, Mr. C. - - -	On removal from the Bombay Civil Service - - -	100 - -	100 - -
Walker, Mr. A. G. - -	On removal from the Bengal Civil Service - - -	100 - -	100 - -
	Carried forward - - - £.		2,940 16 -

NAME.	CAUSE OF PENSION.	Yearly Amount Granted.	Amount paid in 1888–89.
		£. s. d.	£. s. d.
	Brought forward - - -		2,940 16 –
Pensions to Officers of the Pilot Service or Indian Marine Service, and to their Families:			
Cooper, Mr. G. J. - -	Compassionate allowance on account of his service of 25 years in the Pilot Service.	72 – –	72 – –
Dowell, Mr. H. A. - -	Late Pilot Service - - - - - - - -	36 – –	36 – –
Lay, Mr. H. J. - - -	Late Bengal Marine. Wound received in the Burmese War of 1852.	36 10 –	36 10 –
Mallock, Mrs. E. L., and two children.	Family of Indian Marine Officer. Pensions under Indian Marine Regulations.	70 – –	113 1 1
Orchard, J. W. - - -	Late boiler maker, Bombay Dockyard. Injury to his eye whilst in discharge of duty.	20 – –	20 – –
Warner, Mrs. J. E. - -	Widow of Commander, Bombay Marine. Exceptional circumstances of her case.	50 – –	50 – –
Pensions to Officers of the Indo-European Telegraph Department, or Indian Troop Service:			
Brasher, Mr. A. - -	Service as Traffic Director, Indo-European Telegraph Department. On abolition of the London office.	400 – –	92 1 1
Courtenay, Mr. L. W. -	Service as Traffic Manager of the Indo-European Telegraph Department at Constantinople. On abolition of the Constantinople office.	150 – –	150 – –
Phelips, Mr. R. C. H. -	Late Secretary to Principal Transport Officer at Suez. Reduction of staff, Indian Troop Service.	100 – –	100 – –
Willoughby, Admiral J. B.	Late Principal Transport Officer, Egypt. Valuable services, and reduction of Staff of the Indian Troop Service.	300 – –	97 3 10
Pensions to Officers of the Uncovenanted Service, or to their Families, not entitled to Pensions under Regulations:			
Colvin, Mr. R. P. - -	Late Uncovenanted Service. Nervous despondency, which unfitted him for his work.	100 – –	100 – –
Dicey, Mrs. A. - - -	Re-admitted, on the death of her second husband, to pension granted to her in 1872, as widow of Captain Burbank, Bengal Uncovenanted Service, in consideration of his services.	50 – –	50 – –
Macartney, Mrs. E. E. -	Daughter of Mr. W. H. Hayes, Uncovenanted Civil Servant, Sumatra.	*Rs.* 60. per mensem = @ 1/5, £. 51. per annum.	51 1 –
Pensions granted on the ground of Special Service, &c.:			
Hall, Mr. F. - - -	Late Librarian, India Office. Special services rendered by him to literature and Sanscrit learning, both in India and at home.	150 – –	187 10 –
Hennington, Mr. B. B. -	Late Bookbinder, East India House. On account of long service.	80 – –	80 – –
Macpherson, Mr. W. - -	Late Secretary, Judicial and Public Department, India Office. For service in India and at the India Office.	600 – –	450 – –
Spruce, Mr. R. - -	In recognition of the value of his services in connection with Cinchona.	50 – –	50 – –
Yardley, Mrs. E. V. G. -	Daughter of Princess of Coorg - - - - -	250 – –	250 – –
Pensions from Warden's Official Fund:			
Egan, Mrs. A. - - -	This fund was closed in 1831, and the East India Company incurred the outstanding liabilities thereof	152 1 –	22 1 6
Leech, Mrs. E. C. - -		39 3 –	39 3 –
	TOTAL - - - £.		4,987 7 6

(2 *b.*)—The Persons to whom Payments were made, the Amounts Paid in each instance, and the Reason for making such Payments of Gratuities, £. 585 (page 11).

NAME.	On what Account Granted.	Amount.
		£. s. d.
Wells, Mrs. Eliza - - -	In recognition of the services of her late husband, Mr. W. Wells, Comptroller of Civil Accounts in Burmah, and of the fact that his death was attributed to the additional duties imposed on him.	500 – –
Worcester, Alfred - - -	On retirement from his employment as labourer in the Record Department, India Office, owing to ill health.	50 – –
Knott, A. - - - -	In acknowledgment of the manner in which his general work is performed, and with special reference to his management of the confidential printing in the India Office.	30 – –
Gale, Alice - - - -	As widow of a labourer at the India Store Depôt, in consideration of the distressed circumstances in which she was left.	5 – –
	TOTAL - - - £.	585 – –

DETAILED PARTICULARS respecting the undermentioned Items in the HOME ACCOUNTS of the GOVERNMENT OF INDIA, of which no Particulars appear in Parliamentary Paper, No. 174, 9th May 1890:—The Persons to whom Payments were made, the Amounts Paid in each instance; and the Reason for making such Payments of Compassionate Allowances, £. 2,457. 14. 6. (page 9); like Information respecting Compassionate and Miscellaneous Pensions, £. 4,987. 7. 6., and Gratuities, £. 585 (page 11); like information respecting Gratuities granted on Retirement to Members of the Uncovenanted Services of India, £. 2,057. 2. 1. (page 11); and the Circumstances under which the following Charges were incurred: "Cost of Stores lost in transit to India," £. 7,808. 4. 1. (page 13).

(1.)—The Persons to whom Payments were made, the Amounts Paid in each instance, and the Reason for making such Payments of Compassionate Allowances, £. 2,457. 14s. 6d. (page 9).

NAME.	OFFICE.	Cause of Retirement.	Yearly Allowance Granted.	Amount Paid in 1888-89.
COMPASSIONATE ALLOWANCES to Members of the Home Establishment of the Secretary of State for India in Council.			£. s. d.	£. s. d.
Arnold, [illegible]	Supervisor, 1st Grade, India Store Depot	Age	250 — —	250 — —
[illegible] D. A. N.	ditto ditto	Compulsorily retired	100 — — of which the sum of £. 50, was commuted prior to 1888-89.	50 — —
Lamb, Col. W. F. B.	Hired writer	Age	120 — — of which the sum of £. 40, was commuted in 1888-89.	95 17 5 310 12 —
Palmer, W. G.	Secretary, Revenue and Statistics Department.	Ill-health	250 — —	164 12 1
Raven, W. J., senr.	Assistant Superintendent of Stamps, India Store Department.	Age	83 6 8 of which the sum of £. 5 6. 5. was commuted prior to 1888-89.	80 — —
Williams, H. C.	Senior clerk, Correspondence Department.	Compulsorily retired	175 — —	175 12 1
PENSIONS to Artificers, Labourers, &c., employed at the India Store Depot, granted under the regulations of the East India Company, or according to the conditions of the Superannuation Act of 1859, on the ground of age, infirmity, or other cause unfitting them for further duty.				
Beavers, R.	Labourer, India Store Depot	Age	19 18 8	19 17 7
Dawe, Ch.	Foreman "	Age	37 14 —	28 17 10
Dennett, John	1st class foreman, India Store Depot	Age	78 — —	61 5 5
Manning, T.	Foreman of packers "	Age	85 4 —	85 4 —
Morgan, S.	3rd class foreman "	Age	86 8 —	36 6 —
Baker, S.	Labourer "	Ill-health	28 3 1	93 11 11
Bushell, A.	1st class foreman "	Ditto	65 — —	65 — —
Caston, S. E.	Principal foreman "	Ditto	93 6 8	12 5 6
Fountain, W.	Viewer "	Ditto	58 5 8	57 3 3
Garlick, W.	Labourer "	Ditto	21 — 4	20 19 2
Heath, J.	Labourer "	Ditto	14 6 —	14 6 —
Holmes, J.	Labourer "	Ditto	19 1 4	19 [illegible]
Hope, Jas.	Labourer "	Ditto	31 15 6	[illegible]
Hoult, W.	3rd class foreman "	Ditto	[illegible]	[illegible]
Jackman, S.	Labourer "	Ditto	[illegible]	[illegible]

Carried [illegible]

EAST INDIA ACCOUNTS.

RETURN to an Address of the Honourable The House of Commons, dated 16 June 1890;—for,

DETAILED PARTICULARS respecting the undermentioned Items in the HOME ACCOUNTS of the GOVERNMENT OF INDIA, of which no Particulars appear in Parliamentary Paper, No. 171, 9th May 1890:—

The Persons to whom Payments were made, the Amounts paid in each instance, and the Reason for making such Payments of Compassionate Allowances, £. 2,457 14 *s.* 6 *d.* (page 9);

Like Information respecting Compassionate and Miscellaneous Pensions, £. 4,987 7 *s.* 6 *d.*, and Gratuities, £. 585 (page 11);

Like Information respecting Gratuities granted on Retirement to Members of the Uncovenanted Services of India, £. 2,057 2 *s.* 1 *d.* (page 11); and

The Circumstances under which the following Charges were incurred: 'Cost of Stores Lost in Transit in India,' £. 7,808 1 *s.* 1 *d.* (page 13).

India Office,
30 June 1890.

A. GODLEY,
Under Secretary of State.

109695

(*Mr. Bradbaugh.*)

Ordered, by The House of Commons, *to be Printed,*
1 *July* 1890.

LONDON:
PRINTED BY HENRY HANSARD AND SON;
AND
Published by Eyre and Spottiswoode, East Harding-street, London, E.C.,
and 32, Abingdon-street, Westminster, S.W.;
and Charles Black, North Bridge, Edinburgh;
Hodges, Figgis, and Co., 104, Grafton-street, Dublin.

(2003.)—The Persons to whom Payments were made, the Amounts Paid in each instance, and the Reasons for making such Payments of Compassionate and Miscellaneous Pensions £. 4,987, 7 s. 6 d. (page 11).

Name.	Cause of Pension.	Yearly Amount Granted.	Amount Paid in 1885-86.
	Pensions to the Families of Officers killed in the Discharge of their Duty in the Indian Mutiny, or on other occasions:	£. s. d.	£. s. d.
[illegible]	Sister of an Officer of the Public Works Department, killed at the Siege of Lucknow	20 – –	20 – –
[illegible]	Widow of an Indigo Planter, killed in the mutiny	Rs. 64, 0, per mensem = @ 1/5, £. 64 8 per annum	64 8 –
[illegible]	Sister of Lieut. J. C. Kay, Deputy Superintendent, Cawnpore, killed in the mutiny	21 – –	21 – –
[illegible]	Widow of Mr. G. B. Lamell, C.E., killed in the mutiny	60	60 – –
[illegible]	Widow of Mr. Simpson (first Ireland), killed in the mutiny	Rs. 12 8, per mensem = @ 1/6, £. 38 2 6 per annum	38 2 6
[illegible]	Gallant conductor to her first husband, Hossi-ud-oomjah, during the mutiny	50 – –	11 17 4
[illegible]	Daughters of Mr. H. V. Tremlett, Madras Civil service, in recognition of the services of their father, who was murdered by the Mopilahs in 1855, while in the discharge of his public duties	75 – –	75 – –
[illegible]		25 – –	25 – –
[illegible]	Sisters of Mr. T. T. Cooper, killed in India in 1878	50 – –	50 – –
[illegible]		50 – –	22 10 –
[illegible]	Widow of Assistant Superintendent, Port Blair, murdered in India in 1880	Rs. 100, per mensem = @ 1/5, £. 85 per annum	85 6 8
[illegible]	Widow of Mr. E. E. Moore, Deputy Commissioner of Bonjoes, killed in 1877	Rs. 100, per mensem = @ 1/5, £. 85 per annum	85 7 8
[illegible]	Widow of Mr. W. G. Ancrum, Superintendent of Police, killed at Dinajpur by robbers in 1885	Rs. 100, per mensem = @ 1/5, £. 85 per annum	85 7 8
	Pensions under the Regulations of the late Indian Navy (abolished in 1863):		
	To Officers:		
[illegible]	Late Midshipman, Indian Navy. A special Compassionate Allowance, for having resigned the Service shortly before the abolition of the Indian Navy	50 – –	50 – –
[illegible]	Late Midshipman, Indian Navy	30 11 –	15 14 –
	To Widows of Officers:		
[illegible]	Widow of Indian Navy Officer	68 8 8	68 8 8
[illegible]	ditto	45 12 6	45 12 6
[illegible]	ditto	91 5 –	91 5 –
[illegible]	ditto	91 5 –	91 5 –
[illegible]	ditto	45 12 6	45 12 6
[illegible]	ditto	45 12 6	45 12 6
	To Non-Commissioned Officers and Seamen:		
[illegible]	Coxswain, Indian Navy	48 – –	48 – –
[illegible]	Late on the Indian Navy	50 8 0	50 8 0
[illegible]	Gunner, Indian Navy	31 10 –	31 10 –
[illegible]	Indian Navy Seaman	14 8 –	14 8 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	14 8 –	3 18 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	14 8 –	14 8 –
[illegible]	ditto	12 3 4	12 3 4
[illegible]	ditto	11 2 –	11 2 –
[illegible]	ditto	11 2 –	11 2 –
[illegible]	ditto	11 2 –	11 2 –
[illegible]	ditto	11 2 –	11 2 –
	To Widows of Non-Commissioned Officers and Seamen:		
[illegible]	Widow of Gunner, Indian Navy	15 – –	15 – –
		Carried forward	£. 1,084 12

IN THE EAST INDIA HOUSE ACCOUNTS.

NAME.	OFFICE.	CAUSE OF DEATH.	SUMMS ALLOWED GRATUITY.	[illegible]
			£ s. d.	£ s. d.
			Brought forward	[illegible]
[illegible]	Labourer, Indian Stores Depôt	Drowned	[illegible]	[illegible]
[illegible]	Carpenter	Ditto	[illegible]	[illegible]
[illegible]	Dry-keeper	Ditto	56 – –	[illegible]
[illegible]	Labourer	Ditto	26 – –	[illegible]
[illegible]	Bullock-driver	Ditto	[illegible]	[illegible]
[illegible]	Gatekeeper	Ditto	46 1 –	[illegible]
[illegible]	Assistant messenger	Ditto	27 7 –	[illegible]
[illegible]	Smith	Ditto	18 12 8	[illegible]
[illegible]	Bullock-driver	Ditto	50 13 –	[illegible]
[illegible]	Cloth viewer	Ditto	51 13 –	[illegible]
[illegible]	Labourer	Ditto	11 10 –	[illegible]
[illegible]	Labourer	Permitted to retire, being unfit for duty.	13 4 –	[illegible]
[illegible]	Labourer	Ditto	33 [illegible]	[illegible]
[illegible]	Labourer	Ditto	[illegible]	[illegible]
[illegible]	Temporary labourer	Ditto – received further gratuity on his subsequent death	18 4 –	[illegible]
[illegible]	Lamplighter	Ditto	26 – –	[illegible]
[illegible]	Labourer	Ditto	[illegible]	[illegible]
[illegible]	Sweeper	Compulsorily retired	12 – –	[illegible]

Gratuities under Regulations for Housemaids in the service of the East India Company, and subsequently of the Secretary of State for India in Council.

[illegible]	Housemaid	Ill-health	27 0 –	[illegible]
[illegible]	Ditto	Injuries received in the execution of her duties	36 8 –	[illegible]
[illegible]	Ditto	Ill-health	35 18 –	[illegible]
[illegible]	Ditto	Ditto	27 8 –	[illegible]

Gratuities of Allowances to Messengers and Housemaids in the service of the East India Company, or of the Secretary of State for India in Council.

[illegible]	Messenger	Injuries received in the execution of his duties.	50 – –	[illegible]
[illegible]	Sub-chief messenger	Compulsorily retired	79 4 –	[illegible]
[illegible]	Ditto	Permitted to retire, being unfit for duty.	20 – –	[illegible]
[illegible]	Chief messenger	Compulsorily retired	[illegible]	[illegible]
[illegible]	Messenger	Ditto	30 – –	[illegible]
[illegible]	Messenger	Ill-health	[illegible]	[illegible]
		TOTAL	[illegible]	[illegible]

(3.)—The Persons to whom Payments were made, the Amounts paid in each instance, and the Reason for making such Payments of Gratuities Granted on Retirement to Members of the Uncovenanted Services of India, £. 2,057 2 *s.* 1 *d.* (page 11).

NAME.	OFFICE.	On what Account Granted.	Amount.
			£. *s.* *d.*
Barnes, H. C. - - -	Executive Engineer, P. W. Department.	Invalid gratuity on retirement, granted under regulation.	382 10 –
Creswell, P. H. - - -	Assistant Engineer, P. W. Department.	- - ditto - - ditto - - -	283 6 8
Andrews, H. E. - - -	Conservator of Forests - -	- - ditto - - ditto - - -	31 17 6
Ward, A. W. - - - -	Lecturer, Kumbhakonam College	Gratuity in lieu of notice of his services being dispensed with in consequence of ill-health.	247 18 4
Ross, D. - - - -	Deputy Traffic Superintendent, State Railways.	Gratuity in consequence of reduction of establishment.	212 10 –
Pudan, T. G. - - - -	District Traffic Superintendent, State Railways.	- - ditto - - ditto - - -	238 2 6
Winckler, G. W. - - -	Executive Engineer, P. W. Department.	- - ditto - - ditto - - -	72 18 9
White, H. - - - -	Master Worker, Madras Powder Factory.	Gratuity on expiration of his appointment, granted in accordance with the agreement made with him.	127 10 –
Whitsey, S. - - - -	Mechanical Engineer, Ishapore Powder Factory.	Gratuity on expiration of his appointment, granted in consideration of his long service.	425 – –
Tepper, C. W. R. (deceased) -	Principal, Rajshahye College, Bengal.	Cost of his return passage from India, granted in accordance with the agreement with him.	35 8 4
		TOTAL - - - £.	2,057 2 1

(4.)—The Circumstances under which the following Charges were incurred.—"Cost of Stores lost in transit to India," £. 7,808 4 *s.* 1 *d.* (page 13).

	£. *s.* *d.*	
Cost of steel rails and spelter lost *ex* "Duke of Buccleuch" -	4,133 9 1	
Freight paid on ditto - - - - - - - - - -	510 16 4	
	4,644 5 5	This sum has been claimed from the owners of the "Duke of Buccleuch."
Cost of cartridges supplied by the War Office lost in the Thames, in transit to the exporting ship, owing to collision between the "Hallett" and the barge in which they were being conveyed. Less,—allowance made by the War Office for those returned into store damaged - - - - - - - - - -	2,992 3 5	Of this amount 500 *l.* was recovered from the lightermen; and a further sum of 1,009 *l.* as a compromise from the owners of the "Hallett."
Cost of re-supply of parts of Jute Mill machinery for the Alipore Jail, damaged in transit to India, per S.S. "Goorkha," owing to collision with the S.S. "Caldera;" and estimated damage to other Stores not re-supplied - - - - - - - - -	169 6 2	Recovered from owners of S.S. "Goorkha."
Cost of bottles lost, per S.S. "Flamingo," in excess of amount originally charged to this head - - - - - - -	2 9 1	An adjustment of an entry in a previous year.
TOTAL - - - £.	7,808 4 1	

India Office,
30 June 1890.

Thos. W. Keith,
Accountant General.

EAST INDIA (ACCOUNTS).

DETAILED PARTICULARS respecting various Items in the HOME ACCOUNTS of the GOVERNMENT OF INDIA, of which no Particulars appear in Parliamentary Paper, No. 171, 9th May 1890; &c.

(*Mr. Bradlaugh.*)

Ordered, by The House of Commons, *to be Printed*
1 *July* 1890.

[*Price* 1*d.*]

275. Under 1 oz.

H.—18. 7. 90

EAST INDIA (ESTIMATE).

BRANCH OF THE ASIATIC

25-1

ESTIMATE

OF

REVENUE AND EXPENDITURE

OF THE

GOVERNMENT OF INDIA,

For the Year 1889-90,

COMPARED WITH THE RESULTS OF 1888-89.

India Office,
9 May 1890.

JOHN E. CORST,
Under Secretary of State for India.

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(*Presented pursuant to Act* 21 & 22 *Vict. c.* 106.)

108695
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Ordered, by The House of Commons, *to be Printed,*
12 *May* 1890.

LONDON:
PRINTED BY HENRY HANSARD AND SON;
AND
Published by EYRE and SPOTTISWOODE, East Harding-street, London, E.C.,
and 32, Abingdon-street, Westminster, S.W.;
ADAM and CHARLES BLACK, North Bridge, Edinburgh;
and HODGES, FIGGIS, and Co., 104, Grafton-street, Dublin.

172.

No. 1.—ABSTRACT ACCOUNT showing the ESTIMATED REVENUE

HEADS OF REVENUE.	1888–89.	ESTIMATE,* 1889–90.
PRINCIPAL HEADS OF REVENUE:	Rx.	Rx.
Land Revenue	23,016,404	23,817,300
Opium	8,562,319	8,546,400
Salt	7,675,634	8,192,500
Stamps	3,927,088	4,060,500
Excise	4,705,346	4,837,400
Provincial Rates	3,054,254	3,345,800
Customs	1,332,784	1,487,300
Assessed Taxes	1,520,940	1,567,100
Forest	1,349,047	1,446,400
Registration	331,712	346,700
Tributes from Native States	745,233	777,400
TOTAL Rx.	56,220,761	58,424,800
INTEREST Rx.	841,822	86[illegible],498
POST OFFICE, TELEGRAPH, AND MINT:		
Post Office	1,281,540	1,304,300
Telegraph	742,148	768,551
Mint	221,138	267,100
TOTAL Rx.	2,244,826	2,339,951
RECEIPTS BY CIVIL DEPARTMENTS:		
Law and Justice:		
Courts of Law	336,307	348,300
Jails	259,304	275,800
Police	352,997	367,200
Marine	211,766	189,600
Education	212,121	202,700
Medical	61,934	59,813
Scientific and other Minor Departments	73,532	74,908
TOTAL Rx.	1,507,961	1,518,321
MISCELLANEOUS:		
Receipts in aid of Superannuation, &c.	390,559	371,796
Stationery and Printing	68,365	69,900
Exchange	951,453	453,400
Miscellaneous	382,401	431,899
TOTAL Rx.	1,792,778	1,326,995
RAILWAYS:		
State Railways (Gross Receipts)	11,827,120	13,360,333
Guaranteed Companies (Net Traffic Receipts)	3,650,808	3,100,000
Subsidized Companies (Repayment of Advances of Interest)	42,768	43,091
TOTAL Rx.	15,520,696	16,503,424
IRRIGATION:		
Major Works:		
Direct Receipts	1,061,802	1,151,000
Portion of Land Revenue due to Irrigation	671,041	669,400
Minor Works and Navigation	167,875	164,900
TOTAL Rx.	1,900,718	1,985,300
BUILDINGS AND ROADS:		
Military Works	42,544	40,400
Civil Works	562,209	609,717
TOTAL Rx.	604,753	650,117
RECEIPTS BY MILITARY DEPARTMENT:		
Army:		
Effective	989,183	954,230
Non-effective	73,180	69,107
TOTAL Rx.	1,062,363	1,023,337
TOTAL REVENUE Rx.	81,696,678	84,641,743

*This Estimate contains, as regards the transactions in India, the figures adopted in the Financial Statement, and as regards those in England, the figures made up to 31st March, shown in the Home Accounts.

and EXPENDITURE for 1889–90, compared with the RESULTS of 1888–89.

HEADS OF EXPENDITURE.	1888–89.	ESTIMATE,* 1889–90.
	Rx.	Rx.
DIRECT DEMANDS ON THE REVENUES:		
Refunds and Drawbacks	228,618	239,000
Assignments and Compensations	1,486,235	1,551,400
Charges in respect of Collection, viz.:		
Land Revenue	3,513,957	3,632,708
Opium (including cost of Production)	2,597,905	1,655,411
Salt (including cost of Production)	412,979	420,904
Stamps	154,172	133,232
Excise	137,941	154,110
Provincial Rates	59,383	54,900
Customs	133,897	134,428
Assessed Taxes	27,128	28,000
Forest	792,000	815,701
Registration	193,681	192,800
TOTAL - - - Rx.	9,737,896	9,012,594
INTEREST:		
Interest on Debt, other than that charged to Railways and Irrigation Works	4,274,853	3,812,433
Interest on other obligations	437,406	446,756
TOTAL - - - Rx.	4,712,259	4,259,189
POST OFFICE, TELEGRAPH, AND MINT:		
Post Office	1,342,452	1,365,662
Telegraph	704 092	723,831
Mint	99,967	119,814
TOTAL - - - Rx.	2,146,511	2,209,307
SALARIES AND EXPENSES OF CIVIL DEPARTMENTS:		
General Administration	1,745,156	1,752,571
Law and Justice:		
Courts of Law	2,694,252	2,708,346
Jails	834,183	852,600
Police	3,754,294	3,886,200
Marine (including River Navigation)	578,284	669,490
Education	1,293,660	1,303,377
Ecclesiastical	156,856	159,991
Medical	772,233	781,205
Political	756,193	722,921
Scientific and other Minor Departments	428,432	437,729
TOTAL - - - Rx.	13,013,543	13,274,430
MISCELLANEOUS CIVIL CHARGES:		
Territorial and Political Pensions	543,657	547,826
Civil Furlough and Absentee Allowances	318,418	297,059
Superannuation Allowances and Pensions	3,114,823	3,143,062
Stationery and Printing	524,372	560,982
Miscellaneous	383,106	279,231
TOTAL - - - Rx.	4,884,376	4,828,160
FAMINE RELIEF AND INSURANCE:		
Famine Relief	7,799	100,000
Construction of Protective Irrigation Works	70,537	74,000
Reduction of Debt	—	433,500
TOTAL - - - Rx.	78,336	607,500
CONSTRUCTION OF RAILWAYS (CHARGED AGAINST REVENUE IN ADDITION TO THAT UNDER FAMINE INSURANCE) Rx.	22,401	5,900
RAILWAY REVENUE ACCOUNT:		
State Railways:—Working Expenses	6,059,256	6,795,700
Interest on Debt	3,598,866	3,998,598
Annuities in purchase of Railways	2,474,215	2,445,170
Interest chargeable against Companies on Advances	—	76,091
Interest on Capital deposited by Companies	949,399	990,869
Guaranteed Companies:—Surplus Profits, Land, and Supervision	614,540	467,900
Interest	3,959,107	3,396,011
Subsidized Companies:—Land, &c.	28,071	74,100
Miscellaneous Railway Expenditure	70,634	155,200
TOTAL - - - Rx.	17,754,088	18,399,639
IRRIGATION:		
Major Works:—Working Expenses	721,676	724,300
Interest on Debt	1,040,717	1,061,100
Minor Works and Navigation	860,571	923,919
TOTAL - - - Rx.	2,622,964	2,709,319
BUILDINGS AND ROADS:		
Military Works	1,108,206	1,154,507
Civil Works	4,202,526	4,277,161
TOTAL - - - Rx.	5,310,732	5,431,668
ARMY SERVICES:		
Army:—Effective	16,507,312	16,800,962
Non-effective	3,794,529	3,883,096
TOTAL - - - Rx.	20,301,841	20,684,058
SPECIAL DEFENCE WORKS - - - Rx.	789,595	695,047
TOTAL EXPENDITURE (IMPERIAL AND PROVINCIAL) - - - Rx.	81,374,542	82,116,811

	1888–89.	1889–90.		
	Rx.	Rx.		
Add,—Portion of Allotments to Provincial Governments not spent by them in the Year	343,140	385,100	285,118	352,500
Deduct,—Portion of Provincial Expenditure defrayed from Provincial Balances	—58,022	—32,600		

TOTAL EXPENDITURE CHARGED AGAINST REVENUE - - - Rx.	81,659,660	82,469,311
EXPENDITURE NOT CHARGED TO REVENUE:		
Capital Outlay on Railways and Irrigation Works:		
State Railways	1,178,111	3,008,555
Irrigation Works	459,890	401,444
Rx.	1,638,001	3,409,999
	£.	£.
Capital Charge involved in Redemption of Liabilities, &c. £.	10,336,049	—

ESTIMATE, 1889–90.	Rx.
Revenue	84,641,743
Expenditure chargeable against Revenue	82,469,311
Excess of Revenue over Expenditure	2,172,432

No. 2.—ACCOUNT showing the ESTIMATED REVENUE (Imperial, Provincial, compared with the

HEADS OF REVENUE.	INDIA, GENERAL.		CENTRAL PROVINCES.		BURMA.		ASSAM.	
	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	
PRINCIPAL HEADS OF REVENUE:	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
Land Revenue	132,509	128,400	630,933	660,000	1,556,088	1,870,000	444,483	1
Opium	248	200	21,310	22,400	37,236	38,900	40,932	2
Salt	1,851,966	1,990,000	–	–	30,956	127,900	–	3
Stamps	44,517	45,800	157,519	159,000	104,958	120,700	72,678	4
Excise	74,454	87,500	244,414	255,000	344,384	397,700	216,754	5
Provincial Rates	7,598	7,800	80,416	84,800	78,014	84,900	54,948	6
Customs	–	–	–	–	476,365	592,500	–	7
Assessed Taxes	140,610	210,700	42,749	45,000	51,680	52,000	22,399	8
Forest	26,628	29,000	118,041	113,800	418,923	481,600	30,388	9
Registration	1,764	1,600	9,554	9,600	3,602	4,000	3,220	10
Tributes from Native States	213,424	222,700	21,559	25,600	14,814	28,500	15	11
TOTAL	2,493,718	2,723,700	1,326,495	1,375,200	3,117,020	3,798,700	885,817	12
INTEREST	260,425	266,100	1,498	1,500	2,658	2,600	132	13
POST OFFICE, TELEGRAPH, AND MINT:								
Post Office	85,026	1,297,900	53,551	800	62,653	–	30,618	14
Telegraph	717,343	744,000	–	–	–	–	–	15
Mint	77,573	100,100	–	–	–	–	–	16
TOTAL	879,942	2,142,000	53,551	800	62,653	–	30,618	17
RECEIPTS BY CIVIL DEPARTMENTS:								
Law and Justice:								
Courts of Law	9,211	6,600	13,531	13,500	49,294	48,000	7,019	18
Jails	29,934	39,400	30,271	33,400	19,277	30,000	7,337	19
Police	1,034	800	18,876	18,900	44,593	49,100	10,709	20
Marine	93,207	73,700	–	–	21,757	23,700	77	21
Education	2,392	1,500	15,027	14,600	3,230	4,000	4,093	22
Medical	754	600	1,233	1,200	2,477	2,300	61	23
Scientific and other Minor Departments	6,120	6,000	1,573	1,600	148	400	5,720	24
TOTAL	142,652	128,600	80,511	83,200	140,776	157,500	35,016	25
MISCELLANEOUS:								
Receipts in aid of Superannuation, &c.	93,845	85,200	7,714	6,200	2,728	3,400	1,888	26
Stationery and Printing	12,530	15,000	940	1,700	3,694	4,400	374	27
Exchange	951,453	453,400	–	–	–	–	–	28
Miscellaneous	22,936	23,500	8,735	8,400	28,513	51,700	7,377	29
TOTAL	1,080,764	577,100	17,389	16,300	34,935	59,500	9,639	30
RAILWAYS:								
State Railways (Gross Receipts)	6,417,207	6,425,000	269,781	325,000	346,142	507,500	6,584	31
Guaranteed Companies (Net Traffic Receipts).	3,650,808	3,100,000	–	–	–	–	–	32
Subsidized Companies (Repayment of Advances of Interest).	–	–	–	–	–	–	–	33
TOTAL	10,068,015	9,525,000	269,781	325,000	346,142	507,500	6,584	34
IRRIGATION:								
Major Works: Direct Receipts	–	–	–	–	–	–	–	35
Portion of Land Revenue due to Irrigation.	–	–	–	–	–	–	–	36
Minor Works and Navigation	2,060	2,500	–	–	3,702	5,900	–	37
TOTAL	2,060	2,500	–	–	3,702	5,900	–	38
BUILDINGS AND ROADS:								
Military Works	27,386	22,700	316	400	1,451	2,600	540	39
Civil Works	6,351	6,400	15,071	14,100	18,920	17,200	13,912	40
TOTAL	33,737	29,100	15,387	14,500	20,371	19,800	14,452	41
RECEIPTS BY MILITARY DEPARTMENT:								
Army: Effective	561,115	536,000	–	–	–	–	–	42
Non-effective	28,417	26,600	–	–	–	–	–	43
TOTAL	589,532	562,600	–	–	–	–	–	44
TOTAL REVENUE	15,550,845	15,956,700	1,764,612	1,816,500	3,728,257	4,551,500	982,258	45

and Local) in each of the PROVINCES of *British India*, and in *England*, for 1889–90, RESULTS of 1888–89.

	Assam.	Bengal.		North Western Provinces and Oudh.		Carried forward.		Heads of Revenue.
	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	
	Rx.	Rx.	Rx.	Rx	Rx.	Rx.	Rx.	PRINCIPAL HEADS OF REVENUE:
1	445,000	3,737,346	3,865,000	5,651,137	5,842,600	12,152,496	12,811,000	Land Revenue.
2	43,300	6,445,242	6,538,100	44,426	49,500	6,589,394	6,692,400	Opium.
3	–	2,281,688	2,250,000	–	–	4,164,610	4,367,900	Salt.
4	80,000	1,383,899	1,420,000	660,990	685,000	2,424,561	2,510,500	Stamps.
5	229,200	1,089,164	1,020,000	561,719	568,000	2,530,889	2,557,400	Excise.
6	52,800	795,430	800,000	662,945	907,500	1,679,351	1,937,800	Provincial Rates.
7	–	391,754	400,000	–	–	868,119	992,500	Customs.
8	22,000	400,763	405,000	222,561	216,000	880,762	950,700	Assessed Taxes.
9	32,000	67,691	73,000	146,280	151,400	807,951	880,800	Forest.
10	4,100	109,354	117,500	37,969	38,500	165,463	175,300	Registration.
11	–	–	–	–		249,812	276,800	Tributes from Native States.
12	908,400	16,702,331	16,888,600	7,988,027	8,458,500	32,513,408	34,153,100	- - - TOTAL.
13	200	107,521	126,200	11,855	13,800	384,089	410,400	INTEREST.
								POST OFFICE, TELEGRAPH, AND MINT:
14	–	258,669	1,500	174,230	–	664,747	1,300,200	Post Office.
15	–	93	100	–	–	717,436	744,100	Telegraph.
16	–	–	–	–	–	77,573	100,100	Mint.
17	–	258,762	1,600	174,230	–	1,459,756	2,144,400	- - - TOTAL.
								RECEIPTS BY CIVIL DEPARTMENTS:
								Law and Justice:
18	7,300	78,954	79,000	50,489	51,500	208,498	205,900	Courts of Law.
19	7,200	77,502	74,500	35,068	36,500	199,389	221,000	Jails.
20	10,700	77,016	81,600	35,901	38,000	188,129	199,100	Police.
21	–	91,173	86,000	–	–	206,214	183,400	Marine.
22	4,300	64,219	60,000	20,363	22,000	109,324	106,400	Education.
23	100	14,705	14,600	11,966	12,400	31,196	31,200	Medical.
24	5,400	19,020	20,100	10,371	11,000	42,952	44,500	Scientific and other Minor Departments.
25	35,000	422,589	415,800	164,158	171,400	985,702	991,500	- - - TOTAL.
								MISCELLANEOUS:
26	1,900	23,872	22,500	15,682	16,000	145,729	135,200	Receipts in aid of Superannuation, &c.
27	300	22,207	21,500	5,285	6,300	45,030	49,200	Stationery and Printing.
28	–	–	–	–	–	951,453	453,400	Exchange.
29	6,400	120,657	123,300	45,015	43,900	233,233	257,200	Miscellaneous.
30	8,600	166,736	167,300	65,982	66,200	1,375,445	895,000	- - - TOTAL.
								RAILWAYS:
31	7,200	1,374,187	1,501,500	323,023	1,147,400	8,736,924	9,913,600	State Railways (Gross Receipts).
32	–	–	–	–	–	3,650,808	3,100,000	Guaranteed Companies (Net Traffic Receipts).
33	–	–	–	–	–	–	–	Subsidized Companies (Repayment of Advances of Interest).
34	7,200	1,374,187	1,501,500	323,023	1,147,400	12,387,732	13,013,600	- - - TOTAL.
								IRRIGATION:
35	–	139,437	144,400	461,485	479,100	600,922	623,500	Major Works: Direct Receipts.
36	–	–	–	87,413	87,400	87,413	87,400	Portion of Land Revenue due to Irrigation.
37	–	97,000	90,300	15,998	15,100	118,760	113,800	Minor Works and Navigation.
38	–	236,437	234,700	564,896	581,600	807,095	824,700	- - - TOTAL.
								BUILDINGS AND ROADS:
39	300	210	–	43	100	29,946	26,100	Military Works.
40	14,300	91,181	133,200	93,200	91,300	238,635	276,500	Civil Works.
41	14,600	91,391	133,200	93,243	91,400	268,581	302,600	- - - TOTAL.
								RECEIPTS BY MILITARY DEPARTMENT:
42	–	–	–	–	–	561,115	536,000	Army: Effective.
43	–	–	–	–	–	28,417	26,600	Non-effective.
44	–	–	–	–	–	589,532	562,600	- - - TOTAL.
45	974,000	19,359,954	19,468,900	9,385,414	10,530,300	50,771,340	53,297,900	- - - TOTAL REVENUE.

No. 2.—ACCOUNT showing the Estimated Revenue (Imperial, Provincial, and Local) in each of the

HEADS OF REVENUE.	BROUGHT FORWARD.		PUNJAB.		MADRAS.		BOMBAY.		
	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	
PRINCIPAL HEADS OF REVENUE:	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
Land Revenue	12,152,496	12,811,000	2,172,722	2,234,500	4,392,212	4,456,600	4,298,974	4,315,200	1
Opium	6,589,394	6,692,400	4,410	4,000	–	–	1,968,515	1,850,000	2
Salt	4,164,610	4,367,900	–	–	1,649,893	1,764,600	1,861,131	2,060,000	3
Stamps	2,424,561	2,510,500	389,213	390,000	613,595	640,000	499,719	520,000	4
Excise	2,530,889	2,557,400	144,558	155,000	1,047,482	1,120,000	982,417	1,005,000	5
Provincial Rates	1,679,351	1,937,800	392,246	400,000	699,012	725,000	283,645	283,000	6
Customs	868,119	992,500	–	–	172,402	180,800	292,263	314,000	7
Assessed Taxes	880,762	950,700	117,303	111,900	169,107	162,500	353,768	342,000	8
Forest	807,951	880,800	104,577	95,200	151,500	152,500	285,019	317,900	9
Registration	165,463	175,300	22,939	21,900	95,833	101,000	47,477	48,500	10
Tributes from Native States	249,812	276,800	27,778	27,400	344,643	345,200	123,000	128,000	11
TOTAL	32,513,408	34,153,100	3,375,746	3,439,900	9,335,679	9,648,200	10,995,928	11,183,600	12
INTEREST	384,089	410,400	21,023	19,400	32,672	33,000	205,[illegible]6	210,200	13
POST OFFICE, TELEGRAPH, AND MINT:									
Post Office	664,747	1,300,200	177,188	3,900	210,850	–	228,755	200	14
Telegraph	717,436	744,100	–	–	–	–	341	400	15
Mint	77,573	100,100	–	–	–	–	143,524	167,000	16
TOTAL	1,459,756	2,144,400	177,188	3,900	210,850	–	372,620	167,600	17
RECEIPTS BY CIVIL DEPARTMENTS:									
Law and Justice:									
Courts of Law	208,498	205,900	43,777	48,000	49,517	54,000	34,515	40,400	18
Jails	199,389	221,000	23,111	20,200	16,589	15,000	20,215	19,600	19
Police	188,129	199,100	67,123	68,400	38,363	38,200	59,382	61,500	20
Marine	206,214	183,400	–	–	20	100	5,532	6,100	21
Education	109,324	106,400	6,162	6,400	30,873	30,200	65,762	59,700	22
Medical	31,196	31,200	3,166	3,200	13,396	10,000	10,204	11,500	23
Scientific and other Minor Departments	42,952	44,500	11,632	9,900	11,569	13,600	5,654	6,200	24
TOTAL	985,702	991,500	154,971	156,100	160,327	161,100	201,264	205,000	25
MISCELLANEOUS:									
Receipts in aid of Superannuation, &c.	145,729	135,200	12,748	13,800	32,689	28,600	45,968	43,000	26
Stationery and Printing	45,030	49,200	5,828	4,600	9,728	9,800	7,779	6,300	27
Exchange	951,453	453,400	–	–	–	–	–	–	28
Miscellaneous	233,233	257,200	19,605	18,700	69,041	71,800	54,378	77,800	29
TOTAL	1,375,445	895,000	38,181	37,100	111,458	110,200	108,125	127,100	30
RAILWAYS:									
State Railways (Gross Receipts)	8,736,924	9,913,600	2,581,928	2,875,100	82,580	131,400	425,351	439,900	31
Guaranteed Companies (Net Traffic Receipts).	3,650,808	3,100,000	–	–	–	–	–	–	32
Subsidized Companies (Repayment of Advances of Interest).		–	–	–	42,768	43,000	–	–	33
TOTAL	12,387,732	13,013,600	2,581,928	2,875,100	125,348	174,400	425,351	439,900	34
IRRIGATION:									
Major Works: Direct Receipts	600,922	623,500	391,932	457,000	24,108	25,500	44,840	45,000	35
Portion of Land Revenue due to Irrigation.	87,413	87,400	45,744	45,500	460,514	447,100	77,370	89,400	36
Minor Works and Navigation	118,760	113,800	21,743	22,000	11,090	11,500	16,282	17,600	37
TOTAL	807,095	824,700	459,419	524,500	495,712	484,100	138,492	152,000	38
BUILDINGS AND ROADS:									
Military Works	29,946	26,100	506	500	2,738	3,000	9,354	10,800	39
Civil Works	238,635	276,500	64,809	69,600	98,483	102,800	121,628	122,900	40
TOTAL	268,581	302,600	65,315	70,100	101,221	105,800	130,982	133,700	41
RECEIPTS BY MILITARY DEPARTMENT:									
Army: Effective	561,115	536,000	–	–	245,004	221,700	134,879	143,700	42
Non-effective	28,417	26,600	–	–	23,948	19,500	11,713	10,500	43
TOTAL	589,532	562,600	–	–	268,952	241,200	146,592	154,200	44
TOTAL REVENUE	50,771,340	53,297,900	6,873,771	7,126,100	10,842,219	10,958,000	12,724,880	12,773,300	45

Provinces of *British India*, and in *England*, for 1889-90, compared with the Results of 1888-89—*contd*.

	Total, India.		England.		Exchange.*		Grand Total.		Heads of Revenue.
	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	
	Rx.	Rx.	£.	£.	Rx.	Rx.	Rx.	Rx.	**Principal Heads of Revenue:**
1	23,016,404	23,817,300	–	–	–	–	23,016,404	23,817,300	Land Revenue.
2	8,562,319	8,546,400	–	–	–	–	8,562,319	8,546,400	Opium.
3	7,675,634	8,192,500	–	–	–	–	7,675,634	8,192,500	Salt.
4	3,927,088	4,060,500	–	–	–	–	3,927,088	4,060,500	Stamps.
5	4,705,346	4,837,400	–	–	–	–	4,705,346	4,837,400	Excise.
6	3,054,254	3,345,800	–	–	–	–	3,054,254	3,345,800	Provincial Rates.
7	1,332,784	1,487,300	–	–	–	–	1,332,784	1,487,300	Customs.
8	1,520,940	1,567,100	–	–	–	–	1,520,940	1,567,100	Assessed Taxes.
9	1,349,047	1,446,400	–	–	–	–	1,349,047	1,446,400	Forest.
10	331,712	346,700	–	–	–	–	331,712	346,700	Registration.
11	745,233	777,400	–	–	–	–	745,233	777,400	Tributes from Native States.
12	56,220,761	58,424,800	–	–	–	–	56,220,761	58,424,800	- - - Total.
13	643,310	676,000	135,477	135,633	63,035	60,865	841,822	869,498	Interest.
									Post Office, Telegraph, and Mint:
14	1,281,540	1,304,300	–	–	–	–	1,281,540	1,304,300	Post Office.
15	717,777	744,500	16,632	16,601	7,739	7,450	742,148	768,551	Telegraph.
16	221,097	267,100	28	–	13	–	221,138	267,100	Mint.
17	2,220,414	2,315,900	16,660	16,601	7,752	7,450	2,244,826	2,339,951	- - - Total
									Receipts by Civil Departments:
									Law and Justice:
18	336,307	348,300	–	–	–	–	336,307	348,300	Courts of Law.
19	259,304	275,800	–	–	–	–	259,304	275,800	Jails.
20	352,997	367,200	–	–	–	–	352,997	367,200	Police.
21	211,766	189,600	–	–	–	–	211,766	189,600	Marine.
22	212,121	202,700	–	–	–	–	212,121	202,700	Education.
23	57,962	55,900	2,711	2,701	1,261	1,212	61,934	59,813	Medical.
24	71,807	74,200	1,177	989	548	219	73,532	74,908	Scientific and other Minor Departments.
25	1,502,264	1,513,700	3,888	3,190	1,809	1,431	1,507,961	1,518,321	- - - Total.
									Miscellaneous:
26	237,134	220,600	104,707	104,363	48,718	46,833	390,559	371,796	Receipts in aid of Superannuation, &c.
27	68,365	69,900	–	–	–	–	68,365	69,900	Stationery and Printing.
28	951,453	453,400	–	–	–	–	951,453	453,400	Exchange.
29	376,257	425,500	4,193	4,417	1,951	1,982	382,401	431,899	Miscellaneous.
30	1,633,209	1,169,400	108,900	108,780	50,669	48,815	1,792,778	1,326,995	- - - Total.
									Railways:
31	11,826,783	13,360,000	230	230	107	103	11,827,120	13,360,333	State Railways (Gross Receipts).
32	3,650,808	3,100,000	–	–	–	–	3,650,808	3,100,000	Guaranteed Companies (Net Traffic Receipts).
33	42,768	43,000	–	63	–	28	42,768	43,091	Subsidized Companies (Repayment of Advances of Interest).
34	15,520,359	16,503,000	230	293	107	131	15,520,696	16,503,424	- - - Total.
									Irrigation:
35	1,061,802	1,151,000	–	–	–	–	1,061,802	1,151,000	Major Works: Direct Receipts.
36	671,041	669,400	–	–	–	–	671,041	669,400	Portion of Land Revenue due to Irrigation.
37	167,875	164,900	–	–	–	–	167,875	164,900	Minor Works and Navigation.
38	1,900,718	1,985,300	–	–	–	–	1,900,718	1,985,300	- - - Total.
									Buildings and Roads:
39	42,544	40,400	–	–	–	–	42,544	40,400	Military Works.
40	523,555	571,800	26,380	26,172	12,274	11,745	562,209	609,717	Civil Works.
41	566,099	612,200	26,380	26,172	12,274	11,745	604,753	650,117	- - - Total.
									Receipts by Military Department:
42	940,998	901,400	32,884	36,466	15,301	16,364	989,183	954,230	Army: Effective.
43	64,078	56,600	6,212	8,633	2,890	3,874	73,180	69,107	Non-effective.
44	1,005,076	958,000	39,096	45,099	18,191	20,238	1,062,363	1,023,337	- - - Total.
45	81,212,210	84,155,300	330,631	335,768	153,837	150,675	81,696,678	84,641,743	- - - TOTAL REVENUE.

* The columns headed "Exchange" show, under the several heads of Revenue and Expenditure which include transactions in England, the Exchange thereon calculated in accordance with the average rate obtained for Bills and Telegraphic Transfers sold during the year.

No. 3.—ACCOUNT showing the ESTIMATED EXPENDITURE (Imperial, Provincial, compared with the

HEADS OF EXPENDITURE.	INDIA, GENERAL.		CENTRAL PROVINCES.		BURMA.		ASSAM.	
	1888–89.	1889–90.	1888–89.	1889–90.	1888-89.	1889–90.	1888 89.	
DIRECT DEMANDS ON THE REVENUES:	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
Refunds and Drawbacks	11,322	4,600	2,150	2,100	21,758	23,500	1,388	1
Assignments and Compensations	308,776	308,300	6,913	6,800	–	–	3,785	2
Charges in respect of Collection, viz.:								
Land Revenue	55,963	58,500	147,779	158,400	281,510	332,000	94,626	3
Opium (including cost of Production)	1,346	1,300	–	–	–	–	–	4
Salt (including cost of Production)	121,324	110,000	–	–	219	1,000	–	5
Stamps	*—48,124*	*—51,600*	4,703	3,700	3,685	4,100	3,168	6
Excise	1,794	1,300	7,236	6,000	2,143	2,300	499	7
Provincial Rates	–	–	–	–	3,325	4,200	311	8
Customs	–	–	–	–	16,625	16,100	–	9
Assessed Taxes	30	–	28	100	1,519	1,800	95	10
Forest	27,508	31,300	66,831	73,000	201,285	165,400	20,945	11
Registration	571	500	4,321	4,300	1,595	1,700	2,226	12
TOTAL	480,510	464,200	239,961	254,400	533,664	552,100	127,043	13
INTEREST:								
Interest on Debt,* other than that charged to Railways and Irrigation Works.	321,710	278,000	1,100	1,800	2,017	2,000	81	14
Interest on other Obligations	367,942	375,600	283	200	389	400	4	15
TOTAL	689,652	653,600	1,383	2,000	2,406	2,400	85	16
POST OFFICE, TELEGRAPH, AND MINT:								
Post Office	71,279	1,148,100	49,162	5,800	66,155	12,800	35,549	17
Telegraph	559,558	572,100	–	–	–	–	–	18
Mint	45,254	48,300	–	–	–	–	–	19
TOTAL	676,091	1,768,500	49,162	5,800	66,155	12,800	35,549	20
SALARIES AND EXPENSES OF CIVIL DEPARTMENTS:								
General Administration	415,233	411,600	43,754	45,100	100,711	106,600	23,798	21
Law and Justice:								
Courts of Law	21,571	22,800	72,895	72,500	181,429	188,300	53,015	22
Jails	132,104	132,100	55,505	61,300	111,418	117,500	9,819	23
Police	53,275	54,000	134,698	134,600	1,114,838	1,170,000	97,824	24
Marine (including River Navigation)	272,019	317,600	–	–	34,604	57,500	10,149	25
Education	17,654	16,100	63,052	63,500	42,562	41,800	32,029	26
Ecclesiastical	13,365	16,300	4,636	4,800	6,594	6,900	1,644	27
Medical	19,963	20,500	30,676	31,600	38,726	40,400	19,859	28
Political	509,927	420,500	1,055	1,100	18,031	31,100	4,725	29
Scientific and other Minor Departments	250,897	250,400	4,986	5,100	4,561	8,100	4,253	30
TOTAL	1,706,008	1,661,900	411,257	419,600	1,653,474	1,768,200	257,115	31
MISCELLANEOUS CIVIL CHARGES:								
Territorial and Political Pensions	68,046	42,300	26,985	28,300	13,698	15,800	1,896	32
Civil Furlough and Absentee Allowances	220	200	–	–	–	–	8	33
Superannuation Allowances and Pensions	68,260	69,200	20,205	24,100	21,402	23,500	6,431	34
Stationery and Printing	*—76,271*	*—79,500*	13,071	15,500	33,485	42,100	5,600	35
Miscellaneous	22,875	26,000	5,485	5,500	95,395	17,500	6,198	36
TOTAL	83,130	58,200	65,746	73,400	163,980	98,900	20,133	37
FAMINE RELIEF AND INSURANCE:								
Famine Relief	–	–	–	–	–	–	–	38
Construction of Protective Irrigation Works	–	–	–	–	–	–	–	39
Reduction of Debt	–	433,500	–	–	–	–	–	40
TOTAL	–	433,500	–	–	–	–	–	41
Carried forward to page 12	3,635,391	5,039,900	767,509	755,200	2,419,679	2,434,400	439,925	42

* The "Interest on Debt" is distributed as follows:—

Interest on Debt (other than that charged to Railways and Irrigation Works) as above.	321,710	278,000	1,100	1,800	2,017	2,000	81
Under Railway Revenue Account	(a)2,235,536	(a)2,293,000	–	–	111,025	113,000	–
Under Irrigation	532,517	548,300	–	–	–	–	–
TOTAL	3,089,763	3,119,300	1,100	1,800	113,042	115,000	81

(a) Figures for 1888–89 and 1889–90 respectively include Rx. 19,415, and Rx. 19,400, charged to "State Railways—Interest on Capital deposited by Companies."

and Local) in each of the PROVINCES of *British India*, and in *England*, for 1889-90, RESULTS of 1888-89.

	ASSAM.	BENGAL.		NORTH WESTERN PROVINCES and OUDH.		CARRIED FORWARD.		HEADS OF EXPENDITURE.
	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	
	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	DIRECT DEMANDS ON THE REVENUES:
1	1,900	74,588	60,900	15,868	21,500	127,074	114,500	Refunds and Drawbacks.
2	4,300	25,762	28,200	24,438	24,800	369,674	372,400	Assignments and Compensations.
								Charges in respect of Collection, viz.:
3	94,100	351,306	353,600	765,123	770,000	1,696,307	1,766,600	Land Revenue.
4	–	2,592,818	1,650,000	–	–	2,594,164	1,651,300	Opium (including cost of Production).
5	–	2,122	8,900	–	–	123,665	119,900	Salt (including cost of Production).
6	3,000	49,378	51,700	17,746	18,900	30,556	29,800	Stamps.
7	500	43,441	53,500	11,459	12,500	66,572	76,100	Excise.
8	300	32,336	34,500	672	700	36,644	39,700	Provincial Rates.
9	–	52,402	53,500	–	–	69,027	69,600	Customs.
10	100	14,974	16,200	1,764	2,000	18,410	20,200	Assessed Taxes.
11	23,000	37,620	41,000	84,287	99,500	438,476	433,200	Forest.
12	2,300	59,946	63,000	19,438	19,900	88,097	91,700	Registration.
13	129,500	3,336,693	2,415,000	940,795	969,800	5,658,666	4,785,000	- - - TOTAL.
								INTEREST:
14	100	5,130	7,500	8,600	8,900	338,638	298,300	Interest on Debt,* other than that charged to Railways and Irrigation Works.
15	–	12,192	11,900.	1,321	3,000	382,131	391,100	Interest on other Obligations.
16	100	17,322	19,400	9,921	11,900	720,769	689,400	- - - TOTAL.
								POST OFFICE, TELEGRAPH, AND MINT:
17	3,800	406,115	37,000	137,832	18,300	766,092	1,225,800	Post Office.
18	–	88	100	–	–	559,646	572,200	Telegraph.
19	–	–	–	–	–	45,254	48,300	Mint.
20	3,800	406,203	37,100	137,832	18,300	1,370,992	1,846,300	- - - TOTAL.
								SALARIES AND EXPENSES OF CIVIL DEPARTMENTS:
21	27,600	209,033	211,500	161,319	158,200	953,848	960,600	General Administration.
								Law and Justice:
22	53,000	810,173	813,000	422,182	424,000	1,561,265	1,573,600	Courts of Law.
23	9,700	179,580	182,000	111,357	118,000	599,783	620,600	Jails.
24	96,500	488,416	536,100	627,012	640,000	2,516,063	2,631,200	Police.
25	10,600	107,120	114,800	–	–	423,892	500,500	Marine (including River Navigation).
26	32,500	348,912	347,000	177,430	179,500	681,639	680,400	Education.
27	2,000	17,682	16,500	23,301	23,300	67,222	69,800	Ecclesiastical.
28	21,700	151,398	154,800	105,862	109,500	366,484	378,500	Medical.
29	4,500	8,325	10,300	11,946	13,800	554,009	481,300	Political.
30	4,700	33,588	33,800	17,911	17,800	316,196	319,900	Scientific and other Minor Departments.
31	262,800	2,354,227	2,419,800	1,658,320	1,684,100	8,040,401	8,216,400	- - - TOTAL.
								MISCELLANEOUS CIVIL CHARGES:
32	1,700	102,328	128,500	83,436	80,000	296,389	296,600	Territorial and Political Pensions.
33	–	654	500	–	–	882	700	Civil Furlough and Absentee Allowances.
34	6,700	137,647	144,200	149,472	156,900	403,417	424,600	Superannuation Allowances and Pensions.
35	6,200	198,991	230,800	52,300	53,200	227,176	268,300	Stationery and Printing.
36	6,400	30,649	29,000	19,715	19,400	180,317	103,800	Miscellaneous.
37	21,000	470,269	533,000	304,923	309,500	1,108,181	1,094,000	- - - TOTAL.
								FAMINE RELIEF AND INSURANCE:
38	–	7,540	50,000	–	–	7,540	50,000	Famine Relief.
39	–	–	–	3,279	2,700	3,279	2,700	Construction of Protective Irrigation Works.
40	–	–	–	–	–	–	433,500	Reduction of Debt.
41	–	7,540	50,000	3,279	2,700	10,819	486,200	- - - TOTAL.
42	417,200	6,592,254	5,474,300	3,055,070	2,996,300	16,909,828	17,117,300	- - - Carried forward to page 13.
								* The "Interest on Debt" is distributed as follows:—
	100	5,130	7,500	8,600	8,900	338,638	298,300	Interest on Debt (other than that charged to Railways and Irrigation Works) as above.
	–	326,138	344,100	–	–	2,672,699	2,750,100	Under Railway Revenue Account.
	–	233,985	236,500	274,215	276,300	1,040,717	1,061,100	Under Irrigation.
	100	565,253	588,100	282,815	285,200	4,052,054	4,109,500	- - - TOTAL.

No. 3.—ACCOUNT showing the Estimated Expenditure (Imperial, Provincial, and Local) in each of the

HEADS OF EXPENDITURE.	BROUGHT FORWARD.		PUNJAB.		MADRAS.		BOMBAY.		
	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	
DIRECT DEMANDS ON THE REVENUES:	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
Refunds and Drawbacks	127,074	114,500	9,887	15,000	30,228	30,500	61,429	79,000	1
Assignments and Compensations	369,674	372,400	17,621	16,300	116,583	122,100	982,357	1,040,600	2
Charges in respect of Collection, viz.:									
Land Revenue	1,696,307	1,766,600	362,600	370,000	785,406	825,400	668,788	670,000	3
Opium (including cost of Production)	2,594,164	1,651,300	–	–	–	–	2,608	2,600	4
Salt (including cost of Production)	123,665	119,900	–	–	149,115	166,700	139,818	134,000	5
Stamps	30,556	29,800	17,666	17,400	15,913	16,000	20,780	21,500	6
Excise	66,572	76,100	5,526	5,000	32,894	39,000	32,769	33,800	7
Provincial Rates	36,644	39,700	18,084	10,000	–		4,655	5,200	8
Customs	69,027	69,600	–	–	16,316	16,100	48,377	48,700	9
Assessed Taxes	18,410	20,200	1,828	1,200	1,596	1,600	5,294	5,000	10
Forest	438,476	433,200	59,384	63,000	121,554	125,000	169,081	192,000	11
Registration	88,097	91,700	11,346	7,100	65,515	65,500	28,723	28,500	12
TOTAL	5,658,666	4,785,000	503,942	505,000	1,335,120	1,407,900	2,164,679	2,260,900	13
INTEREST:									
Interest on Debt,* other than that charged to Railways and Irrigation Works.	338,638	298,300	17,836	17,000	3,648	3,100	14,066	13,700	14
Interest on other Obligations	382,131	391,100	4,906	6,100	4,917	4,900	45,049	44,400	15
TOTAL	720,769	689,400	22,742	23,100	8,565	8,000	59,115	58,100	16
POST OFFICE, TELEGRAPH, AND MINT:									
Post Office	766,092	1,225,800	140,570	14,200	124,554	10,600	186,473	10,700	17
Telegraph	559,646	572,200	–	–	–	–	365	400	18
Mint	45,254	48,300	–	–	–	–	43,864	54,000	19
TOTAL	1,370,992	1,846,300	140,570	14,200	124,554	10,600	230,702	65,100	20
SALARIES AND EXPENSES OF CIVIL DEPARTMENTS:									
General Administration	953,848	960,600	118,970	122,000	144,588	147,500	174,013	174,800	21
Law and Justice:									
Courts of Law	1,561,265	1,573,600	287,583	285,600	408,141	411,000	436,324	432,300	22
Jails	599,783	620,600	91,506	85,500	82,948	82,000	59,946	64,500	23
Police	2,516,063	2,631,200	334,709	337,000	378,471	388,000	525,051	530,000	24
Marine (including River Navigation)	423,892	500,500	–	–	1,106	9,300	3,294	4,900	25
Education	681,639	680,400	123,722	125,700	188,270	194,700	298,440	300,300	26
Ecclesiastical	67,222	69,800	24,169	25,200	33,017	34,000	31,649	30,200	27
Medical	366,484	378,500	82,176	81,900	168,729	171,100	144,861	140,300	28
Political	554,009	481,300	68,940	116,600	7,984	8,100	81,635	79,300	29
Scientific and other Minor Departments	316,196	319,900	22,966	22,000	40,077	35,100	21,600	21,200	30
TOTAL	8,040,401	8,216,400	1,154,741	1,201,500	1,453,331	1,480,800	1,776,813	1,777,800	31
MISCELLANEOUS CIVIL CHARGES:									
Territorial and Political Pensions	296,389	296,600	39,528	39,500	96,656	93,800	84,332	98,000	32
Civil Furlough and Absentee Allowances	882	700	–	200	160	100	138	600	33
Superannuation Allowances and Pensions	403,417	424,600	73,557	76,000	127,473	136,300	148,047	151,400	34
Stationery and Printing	227,176	268,300	38,865	42,200	101,085	96,200	78,802	87,900	35
Miscellaneous	180,317	103,800	12,125	13,000	82,931	95,000	56,179	30,000	36
TOTAL	1,108,181	1,094,000	164,075	170,900	408,305	421,400	367,498	367,900	37
FAMINE RELIEF AND INSURANCE:									
Famine Relief	7,540	50,000	–	–	259	50,000	–	–	38
Construction of Protective Irrigation Works	3,279	2,700	4,677	7,000	26,072	32,500	36,509	31,800	39
Reduction of Debt	–	433,500	–	–	–	–	–	–	40
TOTAL	10,819	486,200	4,677	7,000	26,331	82,500	36,509	31,800	41
Carried forward to page 14	16,909,828	17,117,300	1,990,747	1,921,700	3,356,206	3,411,200	4,635,316	4,561,600	42

* The "Interest on Debt" is distributed as follows:—

Interest on Debt (other than that charged to Railways and Irrigation Works) as above.	338,638	298,300	17,836	17,000	3,648	3,100	14,066	13,700
Under Railway Revenue Account	2,672,699	2,750,100	19,799	19,800	–	–	–	–
Under Irrigation	1,040,717	1,061,100	–	–	–	–	–	–
TOTAL	4,052,054	4,109,500	37,635	36,800	3,648	3,100	14,066	13,700

Provinces of *British India*, and in *England*, for 1889-90, compared with the Results of 1888-89 —*continued.*

	Total, India.		England.		Exchange.†		Grand Total.		Heads of Expenditure.
	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	
	Rx.	Rx.	£.	£.	Rx.	Rx.	Rx.	Rx.	Direct Demands on the Revenues:
1	228,618	239,000	–	–	–	–	228,618	239,000	Refunds and Drawbacks.
2	1,486,235	1,551,400	–	–	–	–	1,486,235	1,551,400	Assignments and Compensations.
									Charges in respect of Collection, viz.:
3	3,513,101	3,632,000	584	489	272	219	3,513,957	3,632,708	Land Revenue.
4	2,596,772	1,653,900	773	1,043	360	468	2,597,905	1,655,411	Opium (including cost of Production).
5	412,598	420,600	260	210	121	94	412,979	420,904	Salt (including cost of Production).
6	84,915	84,700	47,265	33,499	21,992	15,033	154,172	133,232	Stamps.
7	137,761	153,900	123	145	57	65	137,941	154,110	Excise.
8	59,383	54,900	–	–	–	–	59,383	54,900	Provincial Rates.
9	133,720	134,400	121	19	56	9	133,897	134,428	Customs.
10	27,128	28,000	–	–	–	–	27,128	28,000	Assessed Taxes.
11	788,495	813,200	2,392	1,726	1,113	775	792,000	815,701	Forest.
12	193,681	192,800	–	–	–	–	193,681	192,800	Registration.
13	9,662,407	8,958,800	51,518	37,131	23,971	16,663	9,737,896	9,012,594	- - - Total.
									Interest:
14	374,188	332,100	2,662,056	2,402,302	1,238,609	1,078,031	4,274,853	3,812,433	Interest on Debt,* other than that charged to Railways and Irrigation Works.
15	437,003	446,500	275	177	128	79	437,406	446,756	Interest on other Obligations.
16	811,191	778,600	2,662,331	2,402,479	1,238,737	1,078,110	4,712,259	4,259,189	- - - Total.
									Post Office, Telegraph, and Mint:
17	1,217,689	1,261,300	85,146	72,036	39,617	32,326	1,342,452	1,365,662	Post Office.
18	560,011	572,600	98,330	104,387	45,751	46,844	704,092	723,831	Telegraph.
19	89,118	102,300	7,404	12,089	3,445	5,425	99,967	119,814	Mint.
20	1,866,818	1,936,200	190,880	188,512	88,813	84,595	2,146,511	2,209,307	- - - Total.
									Salaries and Expenses of Civil Departments:
21	1,391,419	1,404,900	241,412	239,980	112,325	107,691	1,745,156	1,752,571	General Administration.
									Law and Justice:
22	2,693,313	2,702,500	641	4,035	298	1,811	2,694,252	2,708,346	Courts of Law.
23	834,183	852,600	–	–	–	–	834,183	852,600	Jails.
24	3,754,294	3,886,200	–	–	–	–	3,754,294	3,886,200	Police.
25	428,292	514,700	102,364	106,844	47,628	47,946	578,284	669,490	Marine (including River Navigation).
26	1,292,071	1,301,100	1,085	1,572	504	705	1,293,660	1,303,377	Education.
27	156,057	159,200	545	546	254	245	156,856	159,991	Ecclesiastical.
28	762,250	771,800	6,813	6,492	3,170	2,913	772,233	781,205	Medical.
29	712,568	685,300	29,772	25,968	13,853	11,653	756,193	722,921	Political.
30	400,839	398,200	18,831	27,285	8,762	12,244	428,432	437,729	Scientific and other Minor Departments.
31	12,425,286	12,676,500	401,463	412,722	186,794	185,208	13,013,543	13,274,430	- - - Total.
									Miscellaneous Civil Charges:
32	516,905	527,900	18,257	13,754	8,495	6,172	543,657	547,826	Territorial and Political Pensions.
33	1,180	1,600	216,503	203,941	100,735	91,518	318,418	297,059	Civil Furlough and Absentee Allowances.
34	752,494	788,300	1,612,200	1,625,376	750,129	729,386	3,114,823	3,143,062	Superannuation Allowances and Pensions.
35	445,928	494,600	53,535	45,820	24,909	20,562	524,372	560,982	Stationery and Printing.
36	331,552	241,800	35,184	25,837	16,370	11,594	383,106	279,231	Miscellaneous.
37	2,048,059	2,054,200	1,935,679	1,914,728	900,638	859,232	4,884,376	4,828,160	- - - Total.
									Famine Relief and Insurance:
38	7,799	100,000	–	–	–	–	7,799	100,000	Famine Relief.
39	70,537	74,000	–	–	–	–	70,537	74,000	Construction of Protective Irrigation Works.
40	–	433,500	–	–	–	–	–	433,500	Reduction of Debt.
41	78,336	607,500	–	–	–	–	78,336	607,500	- - - Total.
42	26,892,097	27,011,800	5,241,871	4,955,572	2,438,953	2,223,808	34,572,921	34,191,180	- - - Carried forward to page 15.

* The "Interest on Debt" is distributed as follows:—

	374,188	332,100	2,662,056	2,402,300	1,238,609	1,081,000	4,274,853	3,815,400	Interest on Debt (other than that charged to Railways and Irrigation Works) as above.
	2,692,498	2,769,900	631,812	(b) 914,022	293,971	(b) 410,167	3,618,281	4,094,089	Under Railway Revenue Account.
	1,040,717	1,061,100	–	–	–	–	1,040,717	1,061,100	Under Irrigation.
	4,107,403	4,163,100	3,293,868	3,316,322	1,532,580	1,491,167	8,933,851	8,970,589	- - - Total.

(b) Figures for 1889-90 include 52,522 *l.*, and Rx. 23,569 Exchange thereon, charged to "State Railways—Interest chargeable against Companies on Advances."

† *See* foot-note to Statement, No. 2, p. 7.

No. 3.—ACCOUNT showing the Estimated Expenditure (Imperial, Provincial, and Local) in each of the

HEADS OF EXPENDITURE.	INDIA, GENERAL.		CENTRAL PROVINCES.		BURMA.		ASSAM.	
	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	
	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
Brought forward from page 8 - - -	3,635,391	5,039,900	767,509	755,200	2,419,679	2,434,400	439,925	1
CONSTRUCTION OF RAILWAYS (charged against Revenue in addition to that under Famine Insurance).	–	–	–	–	–	–	5,111	2
RAILWAY REVENUE ACCOUNT:								
State Railways:								
Working Expenses - - - - - -	2,683,051	2,686,300	208,744	245,500	222,420	326,000	7,823	3
Interest on Debt - - - - - -	2,216,121	2,273,600	–	–	111,025	113,000	–	4
Annuities in Purchase of Railways - -	–	–	–	–	–	–	–	5
Interest chargeable against Companies on Advances.	–	–	–	–		–	–	6
Interest on Capital deposited by Companies.	–	–	19,415	19,400		–	–	7
Guaranteed Companies:								
Surplus Profits, Land, and Supervision -	537,373	403,200	9,318	8,300	–	–	–	8
Interest - - - - - - -	6,671	10,200	–	–	–		–	9
Subsidized Companies:								
Land, &c. - - - - - - -	–	–	–	–	–	–	10,475	10
Miscellaneous Railway Expenditure - -	36,321	36,700	571	–	4,356	12,000	–	11
TOTAL - - -	5,479,537	5,410,000	238,048	273,200	337,801	451,000	18,298	12
IRRIGATION:								
Major Works:								
Working Expenses - - - - - -	–	–	–	–	–	–	–	13
Interest on Debt - - - - - -	532,517	548,300	–	–	–	–	–	14
Minor Works and Navigation - - -	53,107	41,300	–	–	80,426	73,200	–	15
TOTAL - - -	585,624	589,600	–	–	80,426	73,200	–	16
BUILDINGS AND ROADS:								
Military Works - - - - - - -	616,625	666,700	14,007	14,700	201,701	182,200	22,111	17
Civil Works - - - - - -	155,831	158,100	140,117	220,400	465,038	559,100	149,980	18
TOTAL - - -	772,456	824,800	154,124	235,100	666,739	741,300	172,091	19
ARMY SERVICES:								
Army:								
Effective - - - - - - -	8,315,337	8,565,200	–	–	–	–	–	20
Non effective - - - - - - -	421,414	435,800	–	–	–	–		21
TOTAL - - -	8,736,751	9,001,000	–	–	–	–	–	22
SPECIAL DEFENCE WORKS - - - -	282,802	406,000	–	–	31,410	–	–	23
TOTAL EXPENDITURE, IMPERIAL AND PROVINCIAL - - -	19,492,561	21,271,300	1,159,681	1,263,500	3,536,055	3,699,900	635,425	24
Add,—Portion of Allotments to Provincial Governments not spent by them in the year.	–	–	38,676	–	8,278	44,900	26,317	25
Deduct,—Portion of Provincial Expenditure defrayed from Provincial Balances.	*—622*	*—700*	–	*—31,900*	–	–	–	26
TOTAL EXPENDITURE CHARGED AGAINST REVENUE - -	19,491,939	21,270,600	1,198,357	1,231,600	3,544,333	3,744,800	661,742	27
EXPENDITURE NOT CHARGED TO REVENUE:								
Capital Outlay on Railways and Irrigation Works:								
State Railways - - - - - -	*—893,846*	34,300	*—494,259*	102,200	535,811	123,700	–	28
Irrigation Works - - - - - -	–	–	–	–	–	–	–	29
	—893,846	34,300	*—494,259*	102,200	535,811	123,700	–	30
Capital Charge involved in Redemption of Liabilities, &c. - - - - -	–	–	–	–	–	–	–	31

Provinces of *British India*, and in *England*, for 1889-90, compared with the Results of 1888-89—*contd.*

	Assam.	Bengal.		North Western Provinces and Oudh.		Carried forward.		Heads of Expenditure.
	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	
	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
1	417,200	6,592,254	5,474,300	3,955,070	2,996,300	16,909,828	17,117,300	- - - Brought forward from page 9.
2	2,100	*—1,080*	*—200*	18,370	4,000	22,401	5,900	Construction of Railways (charged against Revenue in addition to that under Famine Insurance).
								Railway Revenue Account:
								State Railways:
3	8,600	669,834	679,700	151,089	595,800	3,942,961	4,541,900	Working Expenses.
4	–	326,138	344,100	–	–	2,653,284	2,730,700	Interest on Debt.
5	–	–	–	–	–	–	–	Annuities in Purchase of Railways.
6	–	–	–	–	–	–	–	Interest chargeable against Companies on Advances.
7		–	–	–	–	19,415	19,400	Interest on Capital deposited by Companies.
								Guaranteed Companies:
8	–	11,924	12,500	10,699	6,400	569,314	430,400	Surplus Profits, Land, and Supervision.
9	–	–	–	–	–	6,671	10,200	Interest.
								Subsidized Companies:
10	10,500	13,596	17,900	4,000	4,000	28,071	32,400	Land, &c.
11	–	19,488	32,200	–	–	60,736	80,900	Miscellaneous Railway Expenditure.
12	19,100	1,040,980	1,086,400	165,788	606,200	7,280,452	7,845,900	- - - Total.
								Irrigation:
								Major Works:
13	–	141,809	143,700	248,805	242,200	390,614	385,900	Working Expenses
14	–	233,985	236,500	274,215	276,300	1,040,717	1,061,100	Interest on Debt.
15	–	147,766	169,800	15,666	22,300	296,965	306,600	Minor Works and Navigation.
16	–	523,560	550,000	538,686	540,800	1,728,296	1,753,600	- - - Total.
								Buildings and Roads:
17	25,700	2,745	2,400	6,637	2,200	863,826	893,900	Military Works.
18	163,400	839,052	729,500	529,572	542,000	2,279,590	2,372,500	Civil Works.
19	189,100	841,797	731,900	536,209	544,200	3,143,416	3,266,400	- - - Total.
								Army Services:
								Army:
20	–	–	–	–	–	8,315,337	8,565,200	Effective.
21	–	–	–	–	–	421,414	435,800	Non-effective.
22	–	–	–	–	–	8,736,751	9,001,000	- - - Total.
23	–	–	–	–	–	314,212	406,000	Special Defence Works.
24	627,500	8,997,511	7,842,400	4,314,123	4,691,500	38,135,356	39,396,100	Total Expenditure. Imperial and Provincial.
25	10,900	–	92,700	47,149	83,400	120,420	231,900	*Add*,—Portion of Allotments to Provincial Governments not spent by them in the year.
26	–	*—57,400*	–	–	–	*—58,022*	*—32,600*	*Deduct*,—Portion of Provincial Expenditure defrayed from Provincial Balances.
27	638,400	8,940,111	7,935,100	4,361,272	4,774,900	38,197,754	39,595,400	Total Expenditure charged against Revenue.
								Expenditure not charged to Revenue:
								Capital Outlay on Railways and Irrigation Works:
28	–	271,823	334,300	*—41,786*	*—67,100*	*—622,257*	527,400	State Railways.
29	–	72,239	45,100	113,248	91,900	185,487	137,000	Irrigation Works.
30	–	344,062	379,400	71,462	24,800	*—436,770*	664,400	
31	–	–	–	–	–	–	–	Capital Charge involved in Redemption of Liabilities, &c.

No. 3.—ACCOUNT showing the Estimated Expenditure (Imperial, Provincial, and Local) in each of the

HEADS OF EXPENDITURE.	BROUGHT FORWARD.		PUNJAB.		MADRAS.		BOMBAY.		
	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	1888–89.	1889–90.	
	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	Rx.	
Brought forward from page 10 - - -	16,909,828	17,117,300	1,990,747	1,921,700	3,356,206	3,411,200	4,635,316	4,561,600	1
CONSTRUCTION OF RAILWAYS (charged against Revenue in addition to that under Famine Insurance).	22,401	5,900	–	–	–	–	–	–	2
RAILWAY REVENUE ACCOUNT:									
State Railways:									
Working Expenses - - - - -	3,942,961	4,541,900	1,742,526	1,830,000	74,804	111,300	298,965	312,500	3
Interest on Debt - - - - - -	2,653,284	2,730,700	19,799	19,800	–	–	–	–	4
Annuities in purchase of Railways -	–	–	–	–	–	–	–	–	5
Interest chargeable against Companies on Advances - - - - - -	–	–	–	–	–	–	–	–	6
Interest on Capital deposited by Companies.	19,415	19,400	–	–	–	–	288	–	7
Guaranteed Companies:									
Surplus Profits, Land, and Supervision	569,314	430,400	–	–	12,702	13,600	32,524	23,900	8
Interest - - - - - - - -	6,671	10,200	–	–	–	–	–	–	9
Subsidized Companies:									
Land, &c. - - - - - - - -	28,071	32,400	–	41,700	–	–	–	–	10
Miscellaneous Railway Expenditure -	60,736	80,900	9,902	58,300	–	10,600	–4	5,400	11
TOTAL - - -	7,280,452	7,845,900	1,772,227	1,949,800	87,506	135,500	331,773	341,800	12
IRRIGATION:									
Major Works:									
Working Expenses - - - - -	390,614	385,900	186,587	196,000	110,524	108,200	33,951	34,200	13
Interest on Debt - - - - - -	1,040,717	1,061,100	–	–	–	–	–	–	14
Minor Works and Navigation - - -	296,965	306,600	69,627	67,900	329,547	334,700	163,881	213,700	15
TOTAL - - -	1,728,296	1,753,600	256,214	263,900	440,071	442,900	197,832	247,900	16
BUILDINGS AND ROADS:									
Military Works - - - - - -	863,826	893,900	36,196	22,800	61,651	77,200	131,306	140,900	17
Civil Works - - - - - - -	2,279,590	2,372,500	548,303	498,600	634,625	634,900	595,105	608,100	18
TOTAL - - -	3,143,416	3,266,400	584,499	521,400	696,276	712,100	726,411	749,000	19
ARMY SERVICES:									
Army:									
Effective - - - - - - -	8,315,337	8,565,200	–	–	3,152,267	2,992,300	2,465,268	2,484,700	20
Non-effective - - - - - -	421,414	435,800	–	–	307,994	317,200	150,311	154,800	21
TOTAL - - -	8,736,751	9,001,000	–	–	3,460,261	3,309,500	2,615,579	2,639,500	22
SPECIAL DEFENCE WORKS - - -	314,212	406,000	–	–	–	–	133,611	–	23
TOTAL EXPENDITURE, IMPERIAL AND PROVINCIAL - - - - - -	38,135,356	39,396,100	4,603,687	4,656,800	8,040,320	8,011,200	8,640,522	8,539,800	24
Add,—Portion of Allotments to Provincial Governments not spent by them in the year.	120,420	231,900	30,177	39,800	130,720	82,600	61,823	30,800	25
Deduct,—Portion of Provincial Expenditure defrayed from Provincial Balances.	*—58,022*	*—32,600*	–	–	–	–	–	–	26
TOTAL EXPENDITURE CHARGED AGAINST REVENUE - - - - -	38,197,754	39,595,400	4,633,864	4,696,600	8,171,040	8,093,800	8,702,345	8,570,600	27
EXPENDITURE NOT CHARGED TO REVENUE:									
Capital Outlay on Railways and Irrigation Works:									
State Railways - - - - - -	*—622,257*	527,400	563,944	674,200	102,721	360,300	2,468	1,400	28
Irrigation Works - - - - - -	185,487	137,000	118,846	110,200	137,790	143,100	11,383	8,300	29
	—436,770	664,400	682,790	784,400	240,511	503,400	13,851	9,700	30
Capital Charge involved in Redemption of Liabilities, &c. - - - - -	–	–	–	–	–	–	–	–	31

Calcutta, Comptroller General's Office, 21 March 1890.
India Office, 8 May 1890.

Provinces of *British India*, and in *England*, for 1889-90, compared with the Results of 1888-89—*continued*.

	Total, India.		England.		Exchange.*		Grand Total.		Heads of Expenditure.
	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	1888-89.	1889-90.	
	Rx.	Rx.	£.	£.	Rx.	Rx.	Rx.	Rx.	
1	26,892,097	27,011,800	5,241,871	4,955,572	2,438,953	2,223,808	34,572,921	34,191,180	- - - Brought forward from page 11.
2	22,401	5,900	–	–	–	–	22,401	5,900	Construction of Railways (charged against Revenue in addition to that under Famine Insurance).
									Railway Revenue Account:
									State Railways:
3	6,059,256	6,795,700	–	–	–	–	6,059,256	6,795,700	Working Expenses.
4	2,673,083	2,750,500	631,812	861,500	293,971	386,598	3,598,866	3,998,598	Interest on Debt.
5	–	–	1,688,558	1,687,780	785,657	757,390	2,474,215	2,445,170	Annuities in purchase of Railways.
6	–	–	–	52,522	–	23,569	–	76,091	Interest chargeable against Companies on Advances.
7	19,703	19,400	634,482	670,557	295,214	300,912	949,399	990,869	Interest on Capital deposited by Companies.
									Guaranteed Companies:
8	614,540	467,900	–	–	–	–	614,540	467,900	Surplus Profits, Land, and Supervision.
9	6,671	10,200	2,697,388	2,337,058	1,255,048	1,048,753	3,959,107	3,396,011	Interest.
									Subsidized Companies:
10	28,071	74,100	–	–	–	–	28,071	74,100	Land, &c.
11	70,634	155,200	–	–	–	–	70,634	155,200	Miscellaneous Railway Expenditure.
12	9,471,958	10,273,000	5,652,240	5,609,417	2,629,890	2,517,222	17,754,088	18,399,639	- - - Total.
									Irrigation:
									Major Works:
13	721,676	724,300	–	–	–	–	721,676	724,300	Working Expenses.
14	1,040,717	1,061,100	–	–	–	–	1,040,717	1,061,100	Interest on Debt.
15	860,020	922,900	376	703	175	316	860,571	923,919	Minor Works and Navigation.
16	2,622,413	2,708,300	376	703	175	316	2,622,964	2,709,319	- - - Total.
									Buildings and Roads:
17	1,092,979	1,134,800	10,392	13,603	4,835	6,104	1,108,206	1,154,507	Military Works.
18	4,057,623	4,114,100	98,891	112,553	46,012	50,508	4,202,526	4,277,161	Civil Works.
19	5,150,602	5,248,900	109,283	126,156	50,847	56,612	5,310,732	5,431,668	- - - Total.
									Army Services:
									Army:
20	13,932,872	14,042,200	1,756,958	1,904,237	817,482	854,525	16,507,312	16,800,962	Effective.
21	879,719	907,800	1,989,247	2,053,700	925,563	921,596	3,794,529	3,883,096	Non-effective.
22	14,812,591	14,950,000	3,746,205	3,957,937	1,743,045	1,776,121	20,301,841	20,684,058	- - - Total.
23	447,823	406,000	233,246	199,515	108,526	89,532	789,595	695,047	Special Defence Works.
24	59,419,885	60,603,900	14,983,221	14,849,300	6,971,436	6,663,611	81,374,542	82,116,811	Total Expenditure, Imperial and Provincial.
25	343,140	385,100	–	–	–	–	343,140	385,100	*Add*,—Portion of Allotments to Provincial Governments not spent by them in the year.
26	*—58,022*	*—32,600*	–	–	–	–	*—58,022*	*—32,600*	*Deduct*,—Portion of Provincial Expenditure defrayed from Provincial Balances.
27	59,705,003	60,956,400	14,983,221	14,849,300	6,971,436	6,663,611	81,659,660	82,469,311	Total Expenditure charged against Revenue.
									Expenditure not charged to Revenue:
									Capital Outlay on Railways and Irrigation Works:
28	46,876	1,563,300	772,021	997,588	359,214	447,667	1,178,111	3,008,555	State Railways.
29	453,506	398,600	4,357	1,963	2,027	881	459,890	401,444	Irrigation Works.
30	500,382	1,961,900	776,378	999,551	361,241	448,548	1,638,001	3,409,999	
							£.		
31	–	–	10,336,049	–	–	–	10,336,049	–	Capital Charge involved in Redemption of Liabilities, &c.

* *See* foot-note to Statement, No. 2, page 7.

E. Gay, Comptroller General.
Thos. W. Keith, Accountant General.

EAST INDIA (ESTIMATE).

ESTIMATE

OF

REVENUE AND EXPENDITURE

OF THE

GOVERNMENT OF INDIA,

For the Year 1889-90,

COMPARED WITH THE RESULTS OF 1888-89.

(*Presented pursuant to Act* 21 & 22 *Vict. c.* 106.)

Ordered, by The House of Commons, *to be Printed,*
12 *May* 1890.

[*Price* 2*d.*]

172. *Under* 2 *oz.*

H.—15. 5. 90.

EAST INDIA. ACCOUNTS AND ESTIMATES, 1890-91.

251

EXPLANATORY MEMORANDUM

BY THE

UNDER SECRETARY OF STATE FOR INDIA.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
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HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.

1890.

[C.—6140.] *Price* $5\frac{1}{2}d.$

Memorandum by the Under Secretary of State for India, relating to the Accounts of the Government of India for 1888-89, and the Estimates for 1889-90 and 1890-91.

[*Note.*—With the view of marking clearly the distinction between Pounds sterling and Tens of Rupees, the notation of £ for the former and Rx for the latter has been adopted in the Accounts and Estimates.]

The following are the documents laid or to be laid before Parliament this year, in respect of the Financial Position of India :—

Finance and Revenue Accounts of the Government of India for 1888-89 (on which the formal Resolution to be submitted to the Committee will be based).

Home Accounts of the Government of India: Account for 1888-89, with Estimate for 1889-90, &c. (No. 171 of 1890).

Estimate of the Revenue and Expenditure of the Government of India for 1889-90, compared with the Results of 1888-89 (No. 172 of 1890).

Returns of Loans raised in India and in England (Nos. 15, 16, 127, and 271 of 1890.)

Indian Financial Statement for 1890-91 (No. 140 of 1890), with which are included the Proceedings of the Council of the Governor General thereon.

Statement of the Trade of British India from 1884-85 to 1888-89 [C.—5965.]

Administration Report on the Railways in India for 1889-90.

Statistical Abstract relating to British India from 1879-80 to 1888-89.

The statement exhibiting the Moral and Material Progress and Condition of India during 1888-89 is in course of preparation.

o 62730. Wt. P. 203.

Revenue and Expenditure.

The Gross Revenue and Expenditure of the Government of India for the three years are as follows :—

Gross Revenue and Expenditure.	Account, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx
Revenue - - - - -	81,696,678	84,636,300	84,932,100
Expenditure chargeable thereon - -	81,659,660	82,826,600	84,661,700
Surplus - - -	37,018	1,809,700	270,400

Apart from other considerations, the Revenue and Expenditure of the country are continually increasing through the opening of additional railways and canals; and, therefore, a clearer view of the financial condition may be gathered by a reference to the net Revenue and Expenditure (in the form given at page 62 of the Financial Statement*); the net Revenue being the amount received from the principal sources, after deducting the cost of collection, &c., and the net Expenditure being the charges of the various departments, after deducting the receipts of those departments. The following are the net figures :—

Net Revenue and Expenditure.	Actual Account, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx
Net Revenue - - - -	46,482,865	49,410,300	48,420,400
Net Expenditure - - - -	46,445,847	47,600,600	48,150,000
Surplus, including cost of Special Defence Works - - - -	37,018	1,809,700	270,400
Do. excluding do. do. -	826,613	2,568,100	1,162,700

The following is a more detailed explanation of the foregoing figures.

* See page 50 of the Appendix to this Memorandum.

Actual Account, 1888–89.

Net Revenue and Expenditure.	Budget Estimate, March 1888.	Revised Estimate, as published in March 1889.	Modification of the Revised Estimate, as explained to the House of Commons on August 27, 1889.	Account.
	Rx	Rx	Rx	Rx
Net Revenue - - - -	46,349,400	46,559,700	46,577,400	46,482,865
Net Expenditure - - - -	47,047,400	46,761,400	46,567,100	46,445,847
Surplus + - - - or	—	—	+10,300	+37,018
Deficit — - - -	*—698,000*	*—201,700*	—	—

The variations from the Budget Estimate resulted in an increase of the net revenue by Rx 133,465, and a reduction of the net expenditure by Rx 601,553, giving an improvement of Rx 735,018.

The increase of the net Revenue arose thus:—

Land Revenue - -	Rx +86,900	Decrease of Revenue Rx 74,096, chiefly in Bengal and the North West Provinces, there being an increase in Bombay; reduction of Expenditure, especially in the North-West Provinces, Rx 160,996.
Opium - - - -	+65,365	Increase of Revenue Rx 108,419, the average selling price in Calcutta being Rs. 1,120, against an estimate of Rs. 1,042, per chest, while a large falling-off occurred in Bombay; increase of charge Rx 43,054.
Salt - - - -	*—425,282*	Decrease of Revenue particularly in Bombay, Bengal, and Burma, Rx 446,866; reduction of Expenditure Rx 21,584.
Stamps - - -	+93,255	Increase of Revenue Rx 72,688; reduction of Expenditure Rx 20,567.
Excise - - - -	+88,599	Increase of Revenue chiefly in Madras, Burma, and Bombay.
Assessed Taxes - -	+73,514	Increase of Revenue.
Forest - - -	+155,584	Increase of Revenue in Burma.
Other heads - - -	*— 4,470*	
Total increase of net Revenue:		
Imperial - -	*— 236,307*	
Provincial -	+369,772	+133,465

The reduction in the net Expenditure occurred in the following manner:—

Post Office	Rx —57,188	Chiefly from increase of Revenue.
Telegraph	—74,756	Reduction of charge in England, and increased receipts.
Police	—53,103	Improvement principally in Bombay and Madras.
Marine	—61,482	Reduction of Expenditure in India, and improved receipts.
Education	—48,261	Reduction of Expenditure, especially in Bombay and the Punjab.
Civil Superannuation	+77,064	Mainly due to the enhanced exchange.
Stationery and Printing	—91,393	Chiefly owing to reduction of Expenditure in England.
Exchange	—536,453	Increased gain on the capital transactions of the Subsidised Railway Companies, which were unexpectedly heavy.
Railway Revenue Account	+118,492	Increase of net earnings, especially on the Guaranteed Railways, Rx 258,940; additional payment to Guaranteed Companies for surplus profits Rx 100,195; additional charge for exchange Rx 271,290; and on other accounts Rx. 5,947.
Irrigation	—101,354	Improvement of Revenue.
Buildings and Roads	—331,821	Reduction of net charge, for military works Rx 55,638; and for civil works, chiefly in Bombay, the Central Provinces, and Bengal, Rx 276,183.
Army	+192,278	More than accounted for by an increase of Rx 374,300 in the charges for the Sikkim, Hazara, and Lushai Expeditions; on the other hand, there was a saving of Rx 188,400 on the provision for operations in Burma.
Special Defence Works	—331,905	Reduction of Expenditure in India Rx 52,177, in England £204,454, and in exchange Rx 75,274.
Other heads	—70,389	
Total Reduction of net Expenditure: Imperial —971,325; Provincial —398,946	—1,370,271	
But the improvement belonging to the Provincial Governments, by reason of the before-mentioned increase of their part of the net Revenue by Rx 369,772, and reduction of their net Expenditure by Rx 398,946, was	768,718	The position of the several Provincial Governments was better than the estimate to the following extent:—Bombay, Rx 198,423; Madras, Rx 172,220; North West Provinces, Rx 137,949; Central Provinces, Rx 127,976; Punjab, Rx 91,477; Assam, Rx 21,517; Bengal, Rx 15,600; Burma, Rx 7,278; while India General was worse by Rx 3,722.
Consequently the net Expenditure charged on the Revenue was reduced by only	—601,553	
And, adding this to the increase of Rx 133,465 in the net Revenue, the position of the Imperial Government was improved by	735,018	

Compared with the Revised Estimate, as explained to the House of Commons on the 27th of August 1889, the Accounts show a very slight alteration; there is a decrease in the net Revenue of Rx 94,535, or about ·2 per cent., and in the net Expenditure of Rx 121,253, or ·26 per cent., the final result being an improvement of the surplus by Rx 26,718.

Revised Estimate, 1889–90.

Net Revenue and Expenditure.	Budget Estimate, March 1889.	Figures stated to the House of Commons, August 27, 1889.	Revised Estimate, March 1890.
	Rx	Rx	Rx
Net Revenue - - - - - - -	47,213,800	48,063,800	49,410,300
Net Expenditure - - - - - - -	47,107,500	47,370,500	47,600,600
Surplus, including cost of Special Defence Works -	106,300	693,300	1,809,700
Surplus, excluding cost of Special Defence Works -	1,209,200	1,796,200	2,568,100

When the Statement was laid before the House of Commons in August 1889, it was believed that the net Revenue would be improved, chiefly under Opium, by Rx 850,000 while the charge for Exchange would be increased by Rx 263,000, so that the surplus was then estimated at Rx 693,300. The Revised Estimate, however, shows, as compared with the Budget, an increase in the net Revenue of Rx 2,196,500, and in the net Expenditure of Rx 493,100, giving a net improvement of Rx 1,703,400, and raising the surplus to Rx 1,809,700. The increase of Rx 2,196,500 in the net Revenue is caused by the following changes :—

Land Revenue - - Rx	+404,600	Increase of revenue, chiefly in Burma, the North-West Provinces, and Bombay.
Opium - - - -	+995,300	Increase of revenue Rx 286,400 owing to high prices in Calcutta; reduction of expenditure Rx 708,900, through the failure of the crop.
Salt - - - -	+200,400	Increase of revenue Rx 162,600; reduction of expenditure Rx 37,800.
Stamps - - -	+101,200	Increase of revenue.
Excise - - - -	+108,300	
Provincial rates - -	+93,500	
Customs - - -	+73,400	
Assessed Taxes - -	+53,500	
Forest - - - -	+164,200	Increase of revenue, particularly in Burma.
Other heads - - -	+2,100	
Total { Imperial 1,285,200 / Provincial 911,300 }	+2,196,500	

The increase of Rx 493,100 in the net Expenditure charged on the Revenue may be thus explained :—

Interest - - Rx	*−229,800*	Reduction of charge Rx 96,300; increase of receipts Rx 133,500.
Post Office, Telegraph, and Mint.	*−74,200*	Reduction of charge Rx 63,200; increase of receipts Rx 11,000.
Police - - -	*−80,000*	Chiefly reduction of charge, especially in Burma.
Marine - - -	+87,700	Increase of expenditure.
Education - - -	*−41,300*	Reduction of expenditure.
Exchange on Remittance Transactions - - -	+73,900	Diminution of receipts, owing to the capital expenditure of the Subsidised Railway Companies having been less than was estimated, especially that of the Indian Midland Railway Company.
Famine relief - - -	+79,500	Increased expenditure in Madras and Bengal.
Reduction of debt - -	+433,500	The Budget made no appropriation of revenue for this purpose.
Railway Revenue Account -	*−123,000*	State Railways better Rx 400,100; Guaranteed Railways worse Rx 237,800; other charges worse Rx 39,300.
Civil Works - - -	*−87,600*	Reduction of expenditure Rx 43,600; increase of receipts Rx 44,000.
Army - - -	*−118,600*	Reduction of expenditure Rx 41,100, especially in Burma, and in the exchange for the pay of British troops; increased receipts Rx 77,500.
Special Defence Works -	*−344,500*	Reduction of expenditure.
Other heads - - -	*−75,800*	
Total reduction of net Expenditure : Imperial - *−418,200* / Provincial - *−82,000*	*−500,200*	
But the improvement belonging to the Provincial Governments, by reason of the above-mentioned increase of their part of the net Revenue by Rx 911,300, and reduction of the net Expenditure (after allowing for the postponement of their contribution to Imperial revenues) by Rx 82,000, was -	993,300	The position of the Provincial Governments was better than had been estimated to the following extent :—Bombay, Rx 240,700; Madras, Rx 222,100; Bengal, Rx 131,800; Central Provinces, Rx 109,300; Punjab, Rx 104,100; Burma, Rx 87,500; North-west Provinces, Rx 62,200; Assam, Rx 35,400; and India General, Rx 200. This improvement is largely the result of the contributions, amounting to Rx 490,000, which it was agreed that the Provincial Governments should make to the Imperial revenues, being taken in 1890–91, instead of in 1889–90, as explained on page 8.
Consequently, the net Expenditure charged on the Revenue, was increased by - -	493,100	
And, deducting this from the increase of Rx 2,196,500 in the net Revenue, the position of the Imperial Government is improved by - - -	1,703,400	A telegram dated July 26th says that a further improvement of Rx 867,300 is shown in the Approximate Accounts, which arises thus :—Land Revenue, large collections in March, Rx 195,500, Opium Rx 80,800, Other Revenue Rx 240,700; Railways Rx 43,800; reduction of Expenditure under Buildings and Roads Rx 51,900, Army Rx 222,600, and Special Defence Works Rx 66,400 (both mainly caused by slower supply of stores than had been expected), and under other heads Rx 198,200. Of the total improvement of Rx 1,099,900 thus shown, Rx 232,600 is Provincial, and Rx 867,300 Imperial.

Budget Estimate, 1890–91.

Net Revenue and Expenditure.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx
Net Revenue - - - -	49,410,300	48,420,400
Net Expenditure - - - -	47,600,600	48,150,000
Surplus, including cost of Special Defence Works - - - -	1,809,700	270,400
Surplus, excluding cost of Special Defence Works - - - -	2,568,100	1,162,700

There is an estimated reduction of Rx 989,900 in the net Revenue, and an increase of Rx 549,400 in the net Expenditure, so that it is anticipated that the position will be worse by Rx 1,539,300.

The reduction of Rx 989,900 in the net Revenue is expected to occur in the following manner :—

Net Revenue.		*Remarks.*
Opium - - -	Rx *—992,400*	Reduction of Revenue Rx343,100, owing to expectation of lower price at Calcutta sales; increase of charge in Bengal, Rx 649,300.
Customs - - -	+74,400	Increase of revenue, particularly in Bengal and Bombay.
Forest - - -	*—63,600*	Reduction of receipts in Burma.
Other heads - -	*—8,300*	
Reduction of net revenue:		
Imperial -	*—424,900*	*—989,900*
Provincial -	*—565,000*	

The increase of Rx 549,400 in the net Expenditure charged on the Revenue is thus explained :—

Net Expenditure.		
Interest - - -	Rx +111,800	Increase of charge and reduction of receipts in England.
Telegraph - - -	+ 55,700	Increase of expenditure on capital account.
Law and Justice - -	+ 79,600	Increase of expenditure, especially in Burma, Bengal, and the Punjab.
Police - - -	+ 72,100	Increase in Burma Rx 29,600, in Bombay Rx 20,200, in the Punjab Rx 16,500, and in Madras Rx 13,300; and reduction in other provinces Rx 7,500.
Marine - - -	*— 58,200*	Reduction of expenditure.
Education - -	+ 90,700	Increase of expenditure, especially in Bombay and Madras.
Minor Departments - -	+ 65,500	Increase of charge, owing to the provision for the census.
Stationery and Printing - -	+ 44,400	Increase of expenditure, especially in Bengal, owing to local purchases.
Miscellaneous - - - -	+ 93,600	Chiefly in consequence of the absence of certain exceptional receipts which occurred in the previous year.
Famine Relief - -	*— 89,500*	Reduction of outlay in Madras and Bengal.
Reduction of Debt -	+ 91,000	Larger appropriation of surplus revenue for this purpose.
Buildings and Roads: Civil Works	+332,600	Increase in Madras Rx 89,500, in Bombay Rx 88,500, in Bengal Rx 77,200, in the North-West Provinces Rx 61,600, in Burma Rx 52,900, and in the minor Provinces, &c, Rx 17,400; reduction in the Punjab Rx 54,500.
Army - - -	+611,000	Reduction in India, Rx 112,000; increase in England £498,700, (owing to addition of £556,000 in the charge for guns, rifles, and other stores); increase in Exchange, Rx 224,300.
Special Defence Works -	+133,900	Increase for stores in England £78,700, for exchange Rx 35,400, and for expenditure in India and at Aden Rx 19,800.
Other heads - -	+25,400	
Total increase of net Expenditure:		
Imperial - 1,114,400	+1,659,600	
Provincial - 545,200		
But there is a reduction borne by the Provincial Governments, in consequence of the above-mentioned diminution of their portion of the net Revenue by Rx 565,000, and an increase in their net expenditure of Rx 545,200, amounting to - -	*—1,110,200*	According to the Budget for 1890–91, Bombay is expected to be worse by Rx 299,800, Madras by Rx 223,100, the Central Provinces by Rx 84,300, the Punjab by Rx 47,300, Assam by Rx 42,500, and other Provinces by Rx 60,700, making a total of Rx 757,700. In the Estimate for 1889–90 the Provincial Governments receive Rx 352,500 beyond their Expenditure; so that in the Estimate for 1890–91 their position is worse than in that for 1889–90 by Rx 1,102,200. The reduction of balances in 1890–91 is largely due to the special contributions made by the Local Governments, amounting to Rx 490,000, thus made up: Madras Rx 175,000, Bombay Rx 175,000, Bengal Rx 100,000, Central Provinces Rx 30,000, and Assam Rx 10,000. It was originally intended that these contributions should be charged in 1889–90, but it has now been decided to take them in 1890–91.
So that the increase in the net Expenditure charged on the Revenue becomes - -	549,400	
And, adding this to the reduction of Rx 989,900 in the net revenue the position of the Imperial Government is, on the whole, worse by -	1,539,300	In a telegram dated July 26th the surplus is estimated at Rx 1,870,400, the improvement of Rx 1,600,000 arising mainly from an expectation that the charge for exchange may be reduced by Rx 2,160,000, against which are to be set a falling-off of Rx 40,000 under Opium, and of Rx 320,000 under Railways, and a payment of Rx 200,000 owing to the conversion of the 4½ into 4 per cent. Rupee Debt.

Principal Changes in the last Two Years.

The following is a comparison of the position shewn in the Budget for 1888–89, with the present position as exhibited in the Budget for 1890–91.

Net Revenue and Expenditure.	Budget Estimate, 1888–89.	Budget Estimate, 1890–91.	Increase.
	Rx	Rx	Rx
Net Revenue - - -	46,349,400	48,420,400	2,071,000
„ Expenditure - - -	47,047,400	48,150,000	1,102,600
Surplus (+), or Deficit (—), including cost of Special Defence Works - - -	*—698,000*	+270,400	Result better 968,400
Surplus, excluding cost of Special Defence Works - -	423,500	1,162,700	„ 739,200

Of the increase of Rx 2,071,000 in the net Revenue, Rx 250,000 from the Patwari cess in the North-West Provinces, and Rx 100,000 from the new duties on imported spirits and on beer brewed in India, may be attributed to additional taxation, and the remainder to better administration or to the improved condition of the people: Rx 354,100 arises in Upper Burma. The following are the variations in the net Revenue and Expenditure:—

Net Revenue.

	Rx
Land Revenue, better - - - - - -	+749,400
Salt, better - - - - - - - -	+101,400
Stamps, better - - - - - - -	+210,600
Excise, better - - - - - - -	+192,300
Provincial Rates, better - - - - -	+348,000
Customs, better - - - - - - -	+175,700
Assessed Taxes, better - - - - - -	+109,600
Forest, better - - - - - - -	+165,000
Other Heads, better - - - - - - -	+19,000
	+2,071,000

Net Expenditure.

Exchange on Expenditure in England, more - - - -			+750,100
Deduct gain by Exchange on capital transactions of Railway Companies, owing to fall in value of silver since their contracts were made, &c. - - - - - - - -			*—28,500*
Net increased charge for Exchange - - - - -			+721,600
Net Expenditure in India:		Rx	
Army, more - - - - - - -		+125,000	
Special Defence Works, less - - - -		*—74,200*	
Railways: improved Revenue Account - - -		*—564,300*	
Irrigation: „ „ „ - - -		*—109,200*	
Famine Insurance: allotment for Reduction of Debt, more - - - - - - -		+524,500	
Other, reduced - - - - - -		*—190,500*	
			—288,700
Net Expenditure in England:	£		
Interest on Debt, less - - -	*—163,800*		
Army: non-effective, more - -	+110,000		
Stores, more - - -	+734,900		
Other charges, more - -	+9,400		
Railways: interest and annuities, more	+101,700		
Special Defence Works, less - -	*—116,000*		
Other, reduced - - - -	*—6,500*		
			+669,700
			+1,102,600

Upper Burma.

The following is a statement of the net Expenditure and Revenue on account of Upper Burma:—

	1887–88.	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
Net Expenditure.	Rx	Rx	Rx	Rx
Police - - -	690,400	771,200	814,300	813,900
General Administration -	29,800	24,700	22,600	20,400
Law and Justice - -	50,400	68,700	83,500	97,300
Medical - - -	20,400	14,600	17,700	18,300
Political (including pensions) -	27,500	26,700	43,000	44,300
Other Civil Charges - -	4,200	89,300	35,200	43,600
Irrigation Works - -	12,600	24,600	19,700	30,300
Buildings and Roads: Military	314,300	160,400	145,100	148,000
" " Civil	338,900	290,800	310,100	304,100
Extra Army Charges - -	1,475,300	631,600	450,000	450,000
	2,963,800	2,102,600	1,941,200	1,970,200
Net Revenue.				
Land Revenue - -	291,700	332,900	387,900	420,400
Excise - - -	29,100	43,600	47,300	49,200
Forest - - -	17,600	79,500	148,100	120,000
Tributes - - -	1,700	14,800	28,500	37,100
Railway Revenue Account* -	—	*—5,000*	22,000	35,400
Other Heads - - -	5,400	20,300	27,400	29,100
	345,500	486,100	661,200	691,200
Net Charge - -	2,618,300	1,616,500	1,280,000	1,279,000

* Exclusive of interest on capital outlay.

Exchange.

The following Table shows the amount of the net sterling expenditure in England in recent years, the average rate at which the remittances from India have been effected, the amount under the head of Exchange involved in that sterling expenditure, the further charge or gain in India on the remittance account, the additional estimated payment to the British soldiers arising from the fall in exchange, and the total charge on the revenues on account of Exchange.

Years.	Net Sterling Expenditure.	Average Rate at which Remittances were effected.	Exchange on Net Sterling Expenditure.	Exchange in India on Remittance Accounts.	Additional Payment to European Soldiers on account of Exchange (approximate).	Total Charge for Exchange.
	£	*d.*	Rx	Rx (+ more,— less)	Rx	Rx
1881–82 - - -	14,043,000	19·895	2,897,000	+ 91,000	—	2,988,000
1882–83 - - -	13,800,000	19·525	3,166,000	+ 65,000	—	3,231,000
1883–84 - - -	14,770,000	19·536	3,375,000	— *61,000*	46,000	3,360,000
1884–85 - - -	13,844,000	19·308	3,364,000	— *12,000*	184,000	3,536,000
1885–86 - - -	13,756,000	18·254	4,330,000	— *264,000*	224,000	4,290,000
1886–87 - - -	14,172,000	17·441	5,330,000	+ 26,000	276,000	5,632,000
1887–88 - - -	15,128,000	16·898	6,357,000	— *745,000*	437,000	6,049,000
1888–89 - - -	14,653,000	16·379	6,818,000	— *952,000*	502,000	6,368,000
Revised Estimate, 1889–90 -	14,751,000	16·552	6,638,000	— *453,000*	567,000	6,752,000
Budget, 1890–91 - -	15,674,000	16·552	7,053,000	— *443,000*	502,000	7,112,000

Home Charges.

The following is an analysis of the net Expenditure in England charged on the Revenues of the year, with the Exchange added :—

Net Expenditure.	1888-89.			Revised Estimate, 1889-90.			Budget, 1890-91.		
	Sterling.	Exchange.	Equivalent of Sterling Payments.	Sterling.	Exchange.	Equivalent of Sterling Payments.	Sterling.	Exchange.	Equivalent of Sterling Payments.
	£	Rx	Rx	£	Rx	Rx	£	Rx	Rx
Interest and Management of Debt (excluding Interest charged in Railway Revenue Account) - - -	2,564,764	1,193,341	3,758,105	2,307,800	1,038,500	3,346,300	2,462,500	1,108,100	3,570,600
Railway Revenue Account - - -	5,652,010	2,629,783	8,281,793	5,609,400	2,524,200	8,133,600	5,717,000	2,572,700	8,289,700
Civil Administration: Payments on account of Departments in India, passage, outfit, &c. - -	21,242	9,884	31,126	19,300	8,700	28,000	20,800	9,400	30,200
Postal Subsidy - - - -	37,500	17,448	54,948	40,800	18,400	59,200	40,000	18,000	58,000
Telegraph: Red Sea Company's Annuity	18,027	8,388	26,415	18,000	8,100	26,100	18,000	8,100	26,100
" Indo-European - -	4,591	2,136	6,727	7,700	3,500	11,200	5,400	2,400	7,800
Public Works: Civil Engineering College - - -	2,388	1,111	3,499	900	400	1,300	*−300*	*−100*	*−400*
" Other Charges - -	8,298	3,861	12,159	5,500	2,500	8,000	6,500	2,900	9,400
Marine: Her Majesty's ships in Indian Seas - - -	40,075	18,646	58,721	44,800	20,200	65,000	42,000	18,900	60,900
" Other Charges - - -	1,110	516	1,626	1,500	700	2,200	1,500	700	2,200
Civil Service: Allowances to Candidates, Examinations, &c. - - -	18,894	8,791	27,685	20,400	9,200	29,600	19,400	8,700	28,100
Lunatics: maintenance - - -	4,103	1,909	6,012	4,000	1,800	5,800	4,400	2,000	6,400
Political charges: Persian Mission - -	10,000	4,653	14,653	7,000	3,100	10,100	7,000	3,100	10,100
" Diplomatic and Consular Establishments in China - -	15,000	6,979	21,979	15,000	6,700	21,700	15,000	6,700	21,700
" Pensions: territorial and political - -	18,257	8,495	26,752	19,000	8,500	27,500	12,500	5,600	18,100
" Other Charges - -	4,582	2,132	6,714	1,000	400	1,400	1,000	400	1,400
India Office: Salaries of Establishment -	136,211	63,377	199,588	136,600	61,500	198,100	135,300	60,900	196,200
" Auditor's Department - -	6,478	3,014	9,492	6,600	3,000	9,600	6,700	3,000	9,700
" Store Department - -	24,638	11,464	36,102	23,500	10,600	34,100	24,200	10,900	35,100
" Stationery, postage, telegrams, and other charges -	23,647	11,002	34,649	23,200	10,400	33,600	23,700	10,700	34,400
Army: Effective: Home Charges of British Forces serving in India	699,479	325,456	1,024,935	861,600	387,700	1,249,300	710,000	319,500	1,029,500
" " Troop Service and Transport - - -	196,136	91,259	287,395	196,200	88,300	284,500	211,600	95,200	306,800
" " Other Charges - -	26,908	12,520	39,428	17,600	7,900	25,500	21,000	9,500	30,500
Special Defence Works: Establishment -	339	158	497	9,800	4,400	14,200	300	100	400
Stores: Civil and Public Works - -	239,957	111,648	351,605	244,500	110,000	354,500	300,600	135,300	435,900
" Marine - - -	61,179	28,465	89,644	64,000	28,800	92,800	64,300	28,900	93,200
" Military - - - -	515,704	239,948	755,652	665,700	299,600	965,300	1,220,500	549,200	1,769,700
" Special Defence Works - -	232,907	108,368	341,275	233,200	104,900	338,100	321,400	144,600	466,000
" Miscellaneous Charges - -	11,490	5,346	16,836	3,300	1,500	4,800	9,100	4,100	13,200
Furlough: Civil and Marine - - -	216,503	100,735	317,238	204,700	92,100	296,800	217,000	97,700	314,700
" Military - - -	285,847	133,000	418,847	295,000	132,800	427,800	295,000	132,800	427,800
" Telegraph - - -	4,722	2,197	6,919	4,400	2,000	6,400	4,600	2,100	6,700
" Public Works - - -	59,076	27,487	86,563	66,000	29,700	95,700	67,000	30,100	97,100
Non-Effective Charges: Civil and Marine -	899,995	418,752	1,318,747	920,900	414,400	1,335,300	934,900	420,700	1,355,600
" " Military - -	2,590,533	1,205,330	3,795,863	2,652,300	1,193,500	3,845,800	2,734,400	1,230,500	3,964,900
Total - - -	14,652,590	6,817,599	21,470,189	14,751,200	6,638,000	21,389,200	15,674,300	7,053,400	22,727,700

There is a reduction in the Budget of 1890-91, as compared with 1888-89, of 102,264*l.* under Interest and Management of Debt (the earlier year having included an exceptional charge of 161,154*l.* for Conversion of Debt), but an increase of 64,990*l.* on Railway Revenue Account, of 854,663*l.* for Stores, of 178,772*l.* for Non-Effective charges, and of 25,549*l.* on all other accounts; there is, therefore, a net increase in the sterling payments of 1,021,710*l.*, and there is also an increase of Rx 235,801 for Exchange.

The Expenditure in England not charged on the Revenues of the year, according to the Accounts and Estimates, is as follows:—

Expenditure.	1888-89.			Revised Estimate, 1889-90.			Budget, 1890-91.		
	Sterling.	Exchange.	Equivalent of Sterling Payments.	Sterling.	Exchange.	Equivalent of Sterling Payments.	Sterling.	Exchange.	Equivalent of Sterling Payments.
	£	Rx	Rx	£	Rx	Rx	£	Rx	Rx
Capital outlay on construction of State Railways - -	772,021	359,214	1,131,235	1,036,500	466,400	1,502,900	855,000	384,800	1,239,800
" " on Irrigation Works - -	4,357	2,027	6,384	2,300	1,000	3,300	2,800	1,300	4,100
Total - -	776,378	361,241	1,137,619	1,038,800	467,400	1,506,200	857,800	386,100	1,243,900

RAILWAYS.

The sanctioned mileage of Railways in India on the 31st of March 1890 was 17,579, of which 16,109 miles were open for traffic. The additional length opened in 1889–90 was 869 miles, of which 209 were on the Bengal-Nagpur Railway, 200 on the Southern Mahratta and Mysore system, 165 on the Indian Midland, 74 on the Assam-Behar section, 92 on the Rajpura-Bhatinda line, 69 on the Bhavnagar-Parbandar system, and 60 on other lines. The length sanctioned during the year was 545 miles, namely, 63 on the Villupuram-Guntakal system, 190 on the Jodhpore Extension, 156 on the Mu Valley Railway, 63 on the Tirhoot Extension, and 73 on other lines.

The bridge over the Chenab near Sher Shah was opened for traffic on the 1st February 1890. Out of a total length of 12,531 feet of tunnel through the Khwaja-Amran mountains, only 91 feet remained to be bored on the 31st of March 1890, and the headings met on the 17th of the following month.

Including Capital Expenditure on Steam-boat Service and Suspense Account, but excluding other indirect charges, the following are the general results of working the Railways for the last three calendar years :—

—	1887.	1888.	1889.
Miles open at end of year - -	14,068	14,517	15,858
Capital outlay at end of year - Rx	182,879,266	193,043,257	204,609,011
Average cost per open mile - „	13,000	13,298	12,903
Mean mileage open for traffic - -	13,578	14,379	15,331
Number of passengers carried -	95,411,779	103,156,013	111,493,074
Number of tons of goods carried -	20,195,677	22,393,202	22,306,188
Gross receipts - - - Rx	18,468,129	19,764,475	20,493,363
Working expenses - - „	9,103,308	9,874,347	10,376,674
Net receipts - - - „	9,364,821	9,890,128	10,116,989
Percentage of net receipts on capital cost - - - -	5·12	5·12	4·94

While, however, the Railways gave in India a return of about 5 per cent. on their capital cost, the expense of paying in England the interest at rates fixed in gold was so heavy, that the result of the Railway Revenue Account is to impose a considerable charge on the Government as shown in the following statement :—

	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx
Receipts - - - - -	15,520,696	16,503,300	17,151,400
Expenditure - - - - -	17,754,088	18,406,900	19,017,900
Net Charge - -	2,233,392	1,903,600	1,866,500

Large as is the amount of the Net Charge in recent years, it is much less than the sums included in the Railway Revenue Account for Exchange, namely :—

	Rx
Accounts, 1888–89 - - - - -	2,629,783
Revised Estimate, 1889–90 - - - -	2,524,200
Budget Estimate, 1890–91 - - - -	2,572,700

IRRIGATION WORKS.

The following is the financial result of the works of Irrigation during the three years to which the statement refers :—

	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx
Major Works:			
Direct receipts - - -	1,061,802	1,151,000	1,173,900
Portion of Land Revenue due to Irrigation - - -	671,041	669,400	688,100
Total Revenue - -	1,732,843	1,820,400	1,862,000
Working expenses - - -	721,676	724,300	728,800
Net Revenue -	1,011,167	1,096,100	1,133,200
Interest on Debt - - -	1,040,717	1,061,100	1,083,200
Net Charge - -	29,550	*—35,000*	*—50,000*
Minor Works and Navigation: net Charge - - - -	692,696	759,000	754,400
Total net Charge - -	722,246	724,000	704,400

The direct receipts, of which nearly eight-ninths consist of rates for irrigation, are chiefly derived from the large canals in Upper India; namely, the Ganges, Lower Ganges, Agra, and Eastern Jumna canals, in the North-West Provinces, the Bari Doab, Western Jumna, and the more recently opened Sirhind Canal, in the Punjab, and the Son canal in Bengal. Of the portion of the land revenue credited to irrigation works, about two-thirds is derived from those in the deltas of the great rivers in Madras, especially the Godavari and Kistna.

The capital outlay on the principal Works of Irrigation has been as follows :—

	To the close of 1887–88.	During 1888–89.	Estimated in 1889–90.	Estimated in 1890–91.	Total to end of 1890–91.	Percentage of Revenue in 1888–89 on capital outlay.
	Rx	Rx	Rx	Rx	Rx	
Bengal: Orissa Project - -	2,291,384	62,344	32,500	45,668	2,431,896	*—·61*
Midnapore Series - -	826,335	266	3,000	2,632	832,233	·62
Son Canal - -	2,513,624	14,845	11,100	15,700	2,555,269	·35
N.-W. Provinces: Ganges Canal -	2,655,721	6,282	7,784	13,845	2,683,632	6·21
Lower Ganges Canal.	2,926,902	93,716	67,858	79,983	3,168,459	1·57
Agra Canal -	837,663	4,558	3,835	4,487	850,543	2·67
Eastern Jumna Canal.	294,635	8,699	12,423	6,685	322,442	22·36
Betwa Canal -	389,299	3,279	2,700	2,570	397,848	*—·80*
Punjab: Western Jumna Canal -	1,033,918	16,840	7,100	2,700	1,060,558	4·56
Bari Doab Canal - -	1,552,462	14,324	10,000	17,200	1,593,986	7·86
Sirhind Canal (State outlay)	2,204,298*	29,243	8,100	4,930	2,246,571	2·67
Chenab Canal - -	250,206	56,335	60,000	100,000	466,541	*—1·33*
Sirsa Branch Canal (State outlay).	—	—	14,400	52,670	67,070	—
Swat River Canal - -	333,252	4,677	7,000	2,000	346,929	4·14
Madras: Godavari Delta System -	1,066,557	9,519	7,521	4,200	1,087,797	1·43
Kistna Delta System -	781,402	52,849	51,097	42,800	928,148	13·75
Sangam Project - -	284,908	6,880	5,020	3,200	300,008	1·55
Kurnool Canal - -	2,164,479	*—215*	—	—	2,164,264	*—·30*
Periyar Project - -	27,099	59,293	75,000	78,200	239,592	—
Rushikulya Project -	80,477	26,072	32,500	35,000	174,049	—
Bombay: Eastern Nara Works -	490,060	7,645	8,940	10,766	517,411	5·60
Mutha Storage Lake and Canal.	597,805	4,139	3,263	4,100	609,307	2·46
Nira Canal - -	395,519	36,083	30,982	23,700	486,284	*—·17*
Other Works - - -	1,750,207	21,745	26,235	98,634	1,896,821	—
	25,748,212	539,418	488,358	651,670	27,427,658	3·85

The chief grants in 1890–91 are for the Orissa canals and the Kistna Delta System, for the Lower Ganges Canal, for the Chenab and Sirsa Branch Canals in the Punjab, and for the project for conveying eastward into the Madura district, by a tunnel through the hills which at present form the watershed. the river Periyar, now flowing to the west.

* In addition to Rx 1,323,950 contributed by Native States.

TRADE.

The following is an abstract of the principal figures of the Trade returns for the three years ended 31st March 1890 :—

	1887–88.	1888–89.	1889–90.
	Rx	Rx	Rx
Imports of Private Merchandise	62,384,813	66,570,318	66,562,008
Government stores	2,619,799	2,870,149	2,637,368
Total merchandise	65,004,612	69,440,467	69,199,376
Treasure	13,825,856	13,844,960	17,454,504
Total imports	78,830,468	83,285,427	86,653,880
Exports of Indian Produce and Manufactures	86,370,022	92,642,734	99,088,333
Foreign goods (re-exports)	4,101,440	4,335,437	4,296,836
Government stores	72,193	71,361	63,536
Total merchandise	90,543,655	97,049,532	103,448,705
Treasure	1,604,624	1,784,347	1,906,322
Total exports	92,148,279	98,833,879	105,355,027

Analysis of the Imports of Merchandise.

	1887–88.	1888–89.	1889–90.
Private Merchandise.	Rx	Rx	Rx
I. Animals, living	256,104	295,300	239,708
II. Articles of food and drink :			
Liquors	1,487,066	1,485,209	1,465,145
Provisions	1,504,437	1,588,103	1,596,629
Salt	795,521	882,130	894,532
Spices	931,518	855,228	852,350
Sugar	2,113,617	1,790,939	2,200,049
Tea	260,418	317,937	361,501
Other articles	404,429	549,540	495,628
Total	7,497,006	7,469,086	7,865,834
III. Metals and their manufactures :			
Hardware, cutlery, and plated ware	1,093,939	1,102,205	1,096,191
Copper	2,001,928	563,313	2,222,379
Iron	2,447,395	2,515,179	2,414,369
Lead	150,409	158,863	153,490
Steel	258,811	344,589	328,440
Tin	169,278	255,545	284,553
Zinc or spelter	148,195	84,514	113,477
Brass, quicksilver, and unenumerated metals	137,067	132,010	189,355
Machinery and millwork	1,800,218	2,316,871	2,435,385
Railway plant and rolling stock (other than Government stores)	2,577,603	2,493,239	1,821,337
Total	10,784,843	9,966,328	11,058,976
IV. Chemicals, drugs, &c.:			
Chemicals	201,455	256,740	330,547
Drugs, medicines, and narcotics	439,649	569,596	518,286
Dyeing and tanning materials	381,455	420,985	515,487
Total	1,022,559	1,247,321	1,364,320

	1887–88.	1888–89.	1889–90.
	Rx	Rx	Rx
V. Oils:			
Kerosine	1,216,817	1,767,937	2,386,689
Other kinds	269,974	304,888	258,529
Total	1,486,791	2,072,825	2,645,218
VI. Raw materials and unmanufactured articles:			
Coal, coke, and patent fuel	1,663,910	1,907,213	1,308,590
Cotton	125,186	150,579	268,892
Gums and resins	120,312	148,880	122,635
Ivory	259,918	294,564	209,944
Precious stones and pearls, unset	156,378	162,451	147,530
Seeds	76,532	89,193	108,363
Silk	1,174,321	905,939	1,067,045
Wood	64,317	100,557	106,946
Wool	93,410	124,883	136,744
Other articles	209,758	231,422	247,338
Total	3,944,042	4,115,681	3,724,027
VII. Articles manufactured and partly manufactured:			
A. Yarns and textile fabrics:			
Cotton twist and yarn	3,581,906	3,746,797	3,482,529
„ piece goods	23,544,151	27,389,893	26,020,519
„ sewing thread	132,711	139,700	132,785
„ other sorts	247,605	234,915	238,217
Flax, hemp, and jute	188,874	182,987	184,276
Silk	1,743,818	1,682,166	1,778,114
Wool	1,715,755	1,561,950	1,455,235
B. Apparel, including boots and shoes	1,276,629	1,243,097	1,296,394
C. Other manufactured articles:			
Arms, ammunition, &c.	115,579	148,327	107,613
Books, maps, charts, &c.	181,749	214,129	215,027
Building and engineering materials	116,622	163,238	179,221
Candles	97,894	77,976	135,947
Clocks and watches	118,376	100,677	104,531
Corals	160,211	141,790	140,194
Earthenware and porcelain	223,658	224,820	223,929
Glass	578,959	658,054	647,127
Instruments and apparatus	180,101	209,792	213,757
Jewelry and plate	96,926	116,286	83,681
Leather, including boots and shoes	149,712	166,942	184,818
Matches	243,554	194,546	239,407
Paints and colours	201,212	241,609	204,044
Paper	412,246	402,736	404,271
Ships, parts of	195,922	189,145	67,328
Soap	94,903	102,289	111,388
Stationery (excluding paper)	219,089	223,846	232,017
Toys and games	139,553	157,967	135,862
Umbrellas	371,300	410,604	314,106
Other articles	1,064,453	1,077,499	1,131,588
Total	37,393,468	41,403,777	39,663,925
Total Private Merchandise	62,384,813	66,570,318	66,562,008
Government Stores.			
Railway plant and rolling stock	1,248,661	1,200,700	1,085,749
Arms, ammunition, &c.	94,725	161,201	275,579
Books, maps, and charts	65,101	97,058	70,910
Coal	78,808	102,298	120,649
Hardware and cutlery	53,755	77,227	81,084
Leather manufactures	82,512	44,436	4,077*
Liquors	19,601	23,753	23,977
Machinery and millwork	60,365	92,866	56,043
Metals	262,309	352,270	277,722
Paper, pasteboard, and stationery	140,203	108,825	59,298
Telegraph materials	103,717	81,735	66,499
Woollen manufactures	107,603	150,598	142,314
Other stores	302,439	377,182	373,467
Total	2,619,799	2,870,149	2,637,368

* Excluding boots and shoes, which are included in apparel, under Other Stores.

Analysis of the Exports of Indian Produce and Manufactures.

	1887–88.	1888–89.	1889–90.
	Rx	Rx	Rx
I. Animals, living	134,182	112,146	98,085
II. Food and drink:			
Coffee	1,529,680	1,884,243	1,489,872
Rice	9,291,687	7,915,408	10,110,482
Wheat	5,562,373	7,522,676	5,792,377
Other grain, and pulse	686,413	505,596	626,737
Provisions	530,614	553,483	624,458
Spices	521,558	560,206	464,140
Sugar	465,829	550,339	917,179
Tea	5,174,440	5,267,315	5,277,650
Other articles	67,104	82,644	52,649
Total	23,829,698	24,841,910	25,355,544
III. Metals and their manufactures	54,943	53,523	63,286
IV. Chemicals, drugs, dyeing materials, &c.:			
Opium	10,067,764	10,508,081	10,115,936
Tobacco	129,452	103,749	106,955
Other drugs, chemicals, &c.	227,680	296,161	221,543
Cutch and gambier	433,847	442,326	333,400
Indigo	3,890,649	3,948,595	3,863,084
Myrabolams	250,618	249,337	317,133
Other dyeing and tanning materials	107,933	37,212	32,411
Total	15,107,943	15,585,461	14,990,462
V. Oils:			
Castor	264,282	203,147	328,316
Cocoa nut	148,386	165,338	146,617
Other	58,388	61,821	69,012
Total	471,056	430,306	543,945
VI. Raw materials:			
Caoutchouc	115,433	96,735	113,750
Cotton	14,412,842	15,045,648	18,669,934
Gums and resins	175,496	282,800	131,144
Hemp	125,156	111,894	97,313
Hides and skins	2,325,716	2,129,443	2,000,252
Horns	164,394	161,123	194,285
Jade stone	55,351	65,404	81,935
Jute	6,040,379	7,897,154	8,639,861
Manures (bones, &c.)	133,512	175,973	245,921
Saltpetre	364,016	401,801	411,276
Seeds: castor	339,353	312,874	607,429
,, earthnuts	611,844	478,981	804,865
,, linseed	4,932,575	5,057,922	4,734,691
,, poppy	277,657	476,173	367,963
,, rape	1,175,409	1,916,749	2,687,271
,, til or jinjili	1,877,050	1,147,002	1,309,881
,, other sorts	171,136	172,055	108,594
Silk	480,811	518,751	639,545
Wood: teak	367,274	575,263	762,998
other timber, and ornamental	71,722	57,072	74,665
Wool	972,346	968,753	1,086,069
Other articles	410,681	460,341	516,839
Total	35,600,153	38,509,911	44,286,481

	1887–88.	1888–89.	1889–90.
VII. Articles manufactured and partly manufactured:			
A. Yarns and textile fabrics:	Rx	Rx	Rx
Cotton twist and yarn	4,077,387	5,207,100	5,749,257
„ piece goods	1,114,513	1,137,163	968,682
„ other sorts	36,029	30,301	27,319
Flax and hemp	1,016	829	1,714
Jute: gunny bags	1,624,905	2,400,766	2,366,135
„ „ cloths, rope, twine &c.	121,455	170,712	425,107
Silk	379,296	288,487	260,721
Wool	114,058	122,105	125,801
B. Apparel	97,638	112,980	113,312
C. Other manufactured articles:			
Coir manufactures	161,174	173,898	235,301
Hides and skins dressed or tanned	2,526,666	2,614,103	2,524,008
Lac	500,137	400,010	488,513
Other articles	417,773	451,023	464,660
Total	11,172,047	13,109,477	13,750,530
Total Indian Produce and Manufactures	86,370,022	92,642,734	99,088,333

Analysis of the Re-exports of Foreign Merchandise.

	1887–88.	1888–89.	1889–90.
	Rx	Rx	Rx
Apparel	92,210	91,293	103,559
Cotton: twist and yarn	69,345	111,514	91,382
„ manufactures, piece goods	1,633,247	1,686,647	1,705,181
„ „ other sorts	15,065	18,521	23,217
Gums and resins	60,538	109,404	73,610
Ivory	182,538	209,541	125,921
Metals	298,348	168,509	219,226
Provisions	139,405	126,064	137,611
Silk and its manufactures	88,611	107,197	91,709
Spices	222,005	174,416	117,484
Sugar	183,041	200,704	267,609
Tea	128,006	205,823	167,838
Wool and its manufactures	578,161	696,920	744,683
Other articles	410,920	428,884	427,806
Total	4,101,440	4,335,437	4,296,836

Movement of Treasure.

	1887–88.	1888–89.	1889–90.
	Rx	Rx	Rx
Gold: imports	3,236,053	3,119,088	5,066,030
„ exports	243,572	305,154	455,724
Net imports	2,992,481	2,813,934	4,610,306
Silver: imports	10,589,803	10,725,872	12,388,474
„ exports	1,361,052	1,479,193	1,450,598
Net imports	9,228,751	9,246,679	10,937,876
Net imports of treasure	12,221,232	12,060,613	15,548,182
Amount of silver coined at Calcutta and Bombay	10,788,424	7,257,748	8,521,325

Shipping.

Shipping:	1887–88.		1888–89.		1889–90.	
	No.	Tons.	No.	Tons.	No.	Tons.
Vessels with cargoes entered: steamers -	1,389	2,160,852	1,351	2,157,769	1,355	2,200,273
„ „ „ sailing -	2,579	778,568	2,354	625,375	2,416	619,801
Total - -	3,968	2,939,420	3,705	2,783,144	3,771	2,820,074
„ „ cleared: steamers -	1,532	2,360,937	1,567	2,487,854	1,627	2,623,030
„ „ „ sailing -	3,164	1,135,446	2,856	896,598	2,854	905,306
Total - -	4,696	3,496,383	4,423	3,384,452	4,481	3,528,336

Balance of Trade (approximate).

	1887–88.	1888–89.	1889–90.
	Rx	Rx	Rx
Exports of merchandise - - - - -	90,544,000	97,050,000	103,449,000
„ gold - - - - - -	244,000	305,000	456,000
„ silver - - - - - -	1,361,000	1,479,000	1,450,000
Total - - - -	92,149,000	98,834,000	105,355,000
Imports of merchandise - - - -	65,005,000	69,440,000	69,200,000
„ gold - - - - - -	3,236,000	3,119,000	5,066,000
„ silver - - - - -	10,590,000	10,726,000	12,388,000
Total - - - -	78,831,000	83,285,000	86,654,000
Net exports of merchandise - - - - -	25,539,000	27,610,000	34,249,000
„ imports of gold - - - - -	2,992,000	2,814,000	4,610,000
„ „ silver - - - - -	9,229,000	9,247,000	10,938,000
Excess of exports - - - - - -	13,318,000	15,549,000	18,701,000
Rupee paper enfaced for payment of interest in England -	1,744,000	748,000	*—67,000*
	15,062,000	16,297,000	18,634,000
Remittances by the Government:			
Payments in India for bills (including telegraphic transfers) drawn to defray Home charges - - - -	20,818,000	22,011,000	22,610,000
Bills drawn on India for interest on enfaced rupee paper -	806,000	872,000	882,000
	21,624,000	22,883,000	23,492,000
Excess of remittances by Government over surplus Exports -	6,562,000	6,586,000	4,858,000
Charges not defrayed by India:			
Equivalent (at average rate of exchange on remittances) of amount borrowed in sterling - - - -	—	532,000	4,636,000

Debt and Public Works.

Excluding transactions in connection with the purchase of the Oude and Rohilkund and South Indian Railways,* the following is the net debt incurred during the three years, according to the Accounts and Estimates.

		1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
In India - - - - -	Rx	2,788,780	1,880,000	*—36,000*
In England - - - - -	£	363,052	3,197,400	1,700,000

In 1888–89 the Government of India raised a loan of Rx 3,000,000, mainly for public works, but part of it was applied to the discharge of the balance of a 4½ per cent. loan of which the bulk was converted into debt at 4 per cent., and to the cancelment of outstanding stock notes, thus reducing the net increase of debt to Rx 2,788,780. In England, India 3 per cent. stock was created to the amount of 7,206,531*l.*,* for the purchase of the property of the Oude and Rohilkund Railway Company, and for the discharge of such of its debentures as fell due in 1888. The portion of the India 4 per cent. stock (4,030,678*l.*) which had not been already converted, was notified for discharge, a like amount of 3½ per cent. stock being created; but on the 31st of March 1889, 363,070*l.* had not been claimed. On the other hand, a small sum of 18*l.* of the India 5 per cent. Stock, on which interest ceased in 1880, was claimed and discharged.

In 1889–90, a loan of Rx 2,000,000 at 4 per cent. interest was raised in India for public works, at an average rate of 99·93 per cent.; but, as Rx 120,000 was applied from the balances to the discharge of debt, the net debt incurred was only Rx 1,880,000. In England a loan of 3,500,000*l.* India 3 per cent. Stock was raised under Act 51 Vict., ch. 5, sec. 4, for advances to Railway Companies (instead of their raising the money by the issue of their own debentures); the money so raised (except 500,000*l.* for the Bengal Central Railway Company for the discharge of debentures) was advanced, at 3¼ per cent. interest, to the Bengal-Nagpur, Indian Midland, Southern Mahratta, and South Indian Railway Companies, which were engaged in the construction of lines of railway for the State. The Revised Estimate provided for the discharge of 302,600*l.* of India 4 and 5 per cent. Stock, but the actual amount claimed was less by about 50,000*l.*

In 1890–91 the Budget Estimate provides for the raising of no loan in India, while it is expected that Rx 36,000 of outstanding debt will be discharged. In England a loan of 5,400,000*l.* India 3 per cent. Stock has been issued, at an average price of 99*l.* 11*s.* 1*d.* per cent., of which about 1,700,000*l.* is raised under Act 51, V., ch. 5, s. 4, for advances to the Railway Companies mentioned in the preceding paragraph; 500,000*l.* is raised under section 3 of the same Act, in order to discharge Oude and Rohilkund Railway debentures; and about 3,200,000*l.* is created under the Act passed in the present session (53 V., ch. 6), for the purchase of the South Indian Railway.* The amount payable to the shareholders of that Company, on the purchase

* Debt incurred in connection with the purchase of Railways.

Years.	Railways.	Act of Parliament.	Money raised.	Amount of India 3 per cent. Stock created.	Additional Liability incurred in the purchase for Debentures and Debenture Stock.	Total Debt created.
			£	£	£	£
1889–90	Oude and Rohilkund - -	51 V. ch. 5 - -	6,921,049	7,206,531	3,415,000	10,621,531
1890–91	Do. do. - - -	Do. do. - -	500,000	500,000*	—	—‡
—	South Indian - - -	53 V. ch. 6 - -	3,197,557	3,200,000*†	1,495,000	4,695,000*

* Approximate. † Excluding provision for 1,000,000*l.* payment of which is deferred.
‡ 500,000 raised in 1890–91 will be applied to the discharge of debentures for which the liability was incurred in 1888–89

of the line on the 31st of December 1890, in accordance with the terms of the Company's contract, is 4,197,557*l.*; but, as it is desired to employ the agency of the Company to work the whole system, including the extensions now under construction, a proposal has been made that payment of 1,000,000*l.* of the amount shall be deferred, that sum being reserved as the stock of a new company, upon which 3 per cent. (or 30,000*l.*) will be guaranteed. This sum of 1,000,000*l.* being considered as equal to 140 lakhs of rupees, the first charge upon the net earnings will be 3 per cent. thereon (Rs 4,20,000) payable to the Government in return for the sterling guarantee of 30,000*l.* The second charge will be the number of rupees requisite for remittance to England in order to defray interest at 4½ per cent. on 425,000*l.* irredeemable Debenture Stock. The third charge will be 3 per cent. in rupees payable to the Government upon the remainder of the capital spent by it on the undertaking. All surplus profits will be divisible rateably on the capital expenditure, the proportion due to 140 lakhs being payable to the Company, and the remainder to the Government; the Company are, however, assured that up to the end of 1893 their share of the surplus receipts shall not fall short of the amount requisite to pay one-half per cent. on their sterling capital. On the termination of the contract at the end of 1910, the Company are to receive back their capital in sterling at par.

During the three years to which this statement relates, the outlay from revenue, from borrowed money, and from the balances, on the construction of Railways and Irrigation Works, is as follows:—

	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx
State Railways - - - - - -	1,200,512	3,072,100	3,204,800
Irrigation Works - - - - - -	539,418	488,400	651,700
	1,739,930	3,560,500	3,856,500
In addition to this, the outlay by Companies guaranteed or subsidized by the Government (sterling payments being converted into Indian currency) is - - -	7,417,805	3,380,200	4,040,900
Total - - - - -	9,157,735	6,940,700	7,897,400

In 1888–89 the outlay on the actual construction of State Railways was larger, and that by Companies smaller, than appears from the foregoing figures, because a sum of Rx 1,406,700 was refunded to the Government, in consequence of the transfer of the Sindia and Katni-Umaria lines to the Indian Midland and Bengal-Nagpur Companies.

Assets and Liabilities.

The following is a statement of the Assets and Liabilities of the Government of India. As Indian and English figures cannot be correctly added together without Exchange, the totals of the two sets of figures are shown separately:—

Assets and Liabilities, 31*st March* 1890.

Assets.	Rx	£	*Liabilities.*	Rx	£
Railways constructed by the State -	65,758,000	—	Debt - - - -	102,760,000	98,192,000
Purchased railways - -	—	54,473,000	Other Obligations - - -	14,170,000	—
Advances to Railway Companies -	—	2,349,000			
Irrigation Works - - -	26,938,000	—			
Loans to Municipalities and Native States - - - - -	7,942,000	—			
Cash Balances - - -	14,597,000	4,504,000			
Total Assets - -	115,235,000	61,326,000			
Liabilities uncovered	1,695,000	36,866,000			
	116,930,000	98,192,000	Total Liabilities -	116,930,000	98,192,000

The uncovered Liabilities, therefore, are less than one year's net Revenue. In the 34th paragraph of the Financial Statement attention is drawn to the fact that, according to the Budget Estimate, there will be no uncovered liabilities in India at the end of the present year.

Burden of Taxation.

In the following rough calculation, the burden of the taxation on the people of British India is shown.

	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx
Salt - - - - - - - -	7,676,000	8,193,000	8,233,000
Stamps - - - - - - -	3,927,000	4,060,000	4,035,000
Excise - - - - - - - -	4,705,000	4,837,000	4,845,000
Provincial rates - - - - -	3,054,000	3,346,000	3,349,000
Customs - - - - - - -	1,333,000	1,487,000	1,561,000
Assessed taxes - - - - -	1,521,000	1,567,000	1,559,000
Registration - - - - - -	332,000	347,000	346,000
Total - - -	22,548,000	23,837,000	23,928,000
The population of British India in 1881 was 198,791,000; and, allowing for natural increment, and for the incorporation of Upper Burma in 1886, it may be now taken at about 211 millions. On this basis, the payment per head, on the assumption that the whole of the taxation from salt, excise, &c., is paid by the inhabitants of British India, is - -	Rupee. Annas. Pies. 1 1 1	Rupee. Annas. Pies. 1 2 1	Rupee. Annas. Pies. 1 2 2

If to this taxation be added the payment of Land Revenue, which is on the average one rupee, one anna, and ten pies, the payments to the Government per head, for Land Revenue and Taxes taken together, amount to Rs. 2 ,, 2 ,, 11 in 1888–89, Rs. 2 ,, 3 ,, 11 in 1889–90, and Rs. 2 ,, 4 ,, 0 according to the Budget for 1890–91.

India Office,
8th August 1890.

John E. Gorst,
Under Secretary of State.

APPENDIX.

STATEMENT showing the Principal FIGURES in the INDIAN ACCOUNTS for 1887–88 and 1888–89, and Estimates for 1889–90 and 1890–91, with Explanations.

[NOTE.—£ denotes sterling; Rx denotes tens of Rupees.]

REVENUE AND EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
	Rx	Rx	Rx	Rx	
Revenue - - - -	78,760,000	81,697,000	84,636,000	84,932,000	The result of 1888–89 is better than that of 1887–88, by Rx 2,066,000 including, or Rx 2,400,000 excluding, Special Defence Works. The estimated result of 1889–90 is better than that of 1888–89, by Rx 1,773,000 including, or Rx 1,741,000 excluding, Special Defence Works. The estimated result of 1890–91 is worse than that of 1889–90, by Rx 1,540,000 including, or Rx 1,406,000 excluding, Special Defence Works.
Expenditure charged on the Revenue of the Year.	80,789,000	81,660,000	82,826,000	84,662,000	
Surplus (+) or Deficit (−) including cost of Special Defence Works.	*−2,029,000*	+37,000	+1,810,000	+270,000	
Surplus (+) or Deficit (−) excluding cost of Special Defence Works.	*−1,573,000*	+827,000	+2,568,000	+1,162,000	
Actual Expenditure during the Year.	80,418,000	81,375,000	82,474,000	85,419,000	
Portion thereof spent by Provincial Governments from their Balances.	—	—	—	757,000	In 1887–88, 1888–89, and 1889–90, the Provincial Governments spent less than their income. In 1890–91 it is estimated that, in addition to the income of the year, they will spend, from their accumulated balances, a portion of the unspent income of former years.
Allotments to Provincial Governments unspent by them.	371,000	285,000	352,000	—	
	80,789,000	81,660,000	82,826,000	84,662,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
PRINCIPAL HEADS OF REVENUE:	Rx	Rx	Rx	Rx	
Land Revenue - -	23,189,000	23,016,000	23,817,000	23,874,000	The reduction in 1888–89 arose chiefly in Madras through the scarcity in Ganjam and postponement of the date of assessment in other districts, in Bengal and the North-West Provinces in consequence of scanty harvests and bad weather, and in Burma owing mainly to the postponement of the date of collection in two districts from March to April; in the Punjab there was an increase due to higher assessments. In 1889–90 the increase occurred chiefly in Burma, owing to the more settled state of the country, and to the rent paid by the Ruby Mines Company; in the North-West Provinces, in consequence of revision of settlements; and in Bengal, partly through a large payment of arrears. In 1890–91 a large increase is anticipated in Burma, owing to the extension of cultivation, the prosecution of surveys, and an additional receipt from the Ruby Mines Company; but some falling-off is expected in Bengal and Bombay, where less arrears will be payable.
Opium .. - -	8,516,000	8,562,000	8,546,000	8,203,000	The number of chests sold monthly in Calcutta was 4,750 in 1887, 1888, and 1889, and is estimated at the same amount in 1890. The average price per chest was about 1,059 rupees in 1887–88, 1,120 rupees in 1888–89, 1,136 rupees in 1889–90, and is estimated at 1,060 rupees in 1890–91. The number of chests of Malwa opium paying duty was 34,884 in 1887–88, 30,222 in 1888–89, about 29,550 in 1889–90, and is estimated at 30,000 in 1890–91. The duty was 650 rupees a chest till the 5th of July 1890, when it was reduced to Rs. 600. Both in 1888–89 and 1889–90 the increase in Bengal was largely counterbalanced by a reduction in Bombay. The diminution in the estimate for 1890–91 arises from the lower price estimated at the sales in Calcutta.

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
DIRECT DEMANDS ON THE REVENUE:	Rx	Rx	Rx	Rx	
Refunds and Drawbacks -	224,000	229,000	239,000	220,000	
Assignments and Compensations.	1,469,000	1,486,000	1,552,000	1,513,000	In 1888–89 and 1889–90 much of the increase was due to the amount of alienated revenue in Bombay. In 1889–90 there was also a large payment of arrears of compensation to the State of Palanpur.
CHARGES IN RESPECT OF COLLECTION:					
Land Revenue - -	3,487,000	3,514,000	3,633,000	3,713,000	In all three years a considerable part of the increase was due to the extension of survey and settlement operations in Burma. In 1888–89 there were similar changes in the Punjab, and additional allowances to district and village officers in Bombay, while in the North-West Provinces the survey charges were reduced. In 1889–90 the increase was partly caused by a revised scale of allowances to district and village officers in Madras, and by commission on larger collections in Burma. In 1890–91 there is provision for an increased outlay on survey and settlement in the Central Provinces, Bengal, and the Punjab.
Opium - -	2,424,000	2,598,000	1,655,000	2,305,000	The area under cultivation was reduced in 1888–89, but the payments in respect of the previous year's crop were very heavy. In 1889–90 there was a reduction of Rx 943,000 in the payments to cultivators and manufacturing charges, owing to the failure of the crop in Bengal. The reserve, which had become larger than was desirable, has been reduced in consequence of the poor crop of 1889 and is now estimated at 31,010 chests at the end of 1890.

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
PRINCIPAL HEADS OF REVENUE—*continued.*	Rx	Rx	Rx	Rx	
Salt - - -	6,671,000	7,676,000	8,193,000	8,234,000	The duty on salt was raised, on the 19th of January 1888, from 2 to 2½ rupees a maund throughout India (except in British Burma, where it was raised from 3 annas to one rupee a maund, and in some of the Trans-Indus districts, where the duty varies from 5 to 6¼ annas). The increased receipts in 1888–89 were due to the higher duty having been in force through the whole year, and would have been greater but for rumours of a reduction towards the close of the year, which led dealers to postpone operations. There was a reduction in Burma owing to the large stocks in the country, and to fish salted in the Straits having to some extent taken the place of locally salted fish. In 1889–90 there was a great improvement everywhere, the consumption in Upper India being considerably in advance of past years. In 1890–91 the increase is expected chiefly in Madras.
Stamps - -	3,876,000	3,927,000	4,061,000	4,035,000	The increase in 1888–89 occurred chiefly in the Punjab, Madras, and Bombay; in 1889–90 it was general, principally in Bengal, Madras, the North-West Provinces, and Bombay. In 1890–91 lower receipts are estimated in the North-West Provinces and Madras.
Excise - - -	4,535,000	4,706,000	4,837,000	4,845,000	The increase in 1888–89 arose principally in Madras where there was greater competition among bidders for licences, in Burma owing to better control and to the extension of the Excise Act to Upper Burma, and in Bombay where the season was prosperous. In 1889–90 there was a considerable increase in Madras and Burma, but a large reduction in Bengal, owing to the unfavourable condition of the crops and to changes in the management. In 1890–91 a slight improvement is expected in Burma and Madras, and a falling-off in the revenue of Bombay.
Provincial Rates -	3,035,000	3,054,000	3,346,000	3,349,000	The bulk of the rates being levied on the land, they are affected in much the same way as the land revenue. In 1889–90 there was an increase of Rx 244,000 in the North-West Provinces, of which Rx 226,000 was due to the re-imposition of the patwari cess, levied for the payment of the village accountants.
Customs - - -	1,349,000	1,333,000	1,487,000	1,561,000	An increase in 1888–89 of Rx 128,000 on imports was caused almost entirely by the receipts from petroleum, on which a duty, at the rate of six pies per imperial gallon, was imposed on the 19th of January 1888; but this was more than counterbalanced by a reduction of Rx 143,000 in the duty on exports of rice, chiefly from Burma and Bengal. In 1889–90 the improvement was caused almost entirely by the large exports of rice from Burma. In 1890–91 the increase arises from the duty on the importation of spirits being raised from 5 to 6 rupees a gallon, which is estimated to produce Rx 92,500.

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
DIRECT DEMANDS ON THE REVENUE—*continued.*					
CHARGES IN RESPECT OF COLLECTION—*continued.*	Rx	Rx	Rx	Rx	
Salt - - - -	411,000	413,000	421,000	453,000	In all three years there was an increase of the charges for establishments in Madras, but it was to a great extent counteracted in 1888–89 and in 1889–90 by the reduced purchases of salt in Bombay. In the estimate for 1890–91 the increase is general, except in Bengal.
Stamps - - -	163,000	154,000	135,000	143,000	In 1889–90 the demands for stamped paper from England were smaller than usual.
Excise - - -	127,000	138,000	154,000	173,000	The increase in 1888–89 occurred chiefly in Madras; in 1889–90 and 1890–91 it arises in Madras owing to extension of the preventive force, and in Bengal in consequence of the re-establishment of central distilleries under proper supervision.
Provincial Rates - -	62,000	59,000	55,000	43,000	The reduction in 1890–91 is caused mainly by the discontinuance in the Punjab of the payment of fees to patwaris for collecting the local cesses.
Customs - - -	135,000	134,000	134,000	139,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
PRINCIPAL HEADS OF REVENUE—*continued.*	Rx	Rx	Rx	Rx	
Assessed Taxes - -	1,431,000	1,521,000	1,567,000	1,559,000	On 1st April 1886, in lieu of the previously existing License Tax, an Income Tax of 5 pies in the rupee (equal to 6¼*d.* in the £, or 2·6 per cent.) was imposed on incomes of or above 2,000 rupees a year, and a tax of 4 pies in the rupee (equal to 5*d.* in the £, or about 2 per cent.) on incomes below 2,000 rupees, and not less than 500 rupees a year, if derived from salaries, pensions, profits of companies, or interest on securities. Other incomes were assessed on a scale varying from 1⅓ to 2⅔ per cent. Incomes derived from agriculture, being already liable to pay the tax imposed on land in 1877–78, were exempted from this Income Tax. Of the increase in 1888–89, Rx 46,000 was obtained in Burma, where the tax had not previously been levied.
Forest - -	1,124,000	1,349,000	1,447,000	1,414,000	In 1888–89 the increase was mainly due to the restoration of order in Upper Burma; but there was also improvement in every province except Bombay. In 1889–90 the increase occurred in Burma, where the season was exceptionally favourable, and in Bombay. It is not estimated that the improvement in Burma will be maintained in 1890–91, but an increase is anticipated in other provinces, especially Bombay.
Registration - - -	311,000	332,000	347,000	346,000	The increase in 1888–89 and 1889–90 occurred chiefly in Bengal and Madras.
Tributes from Native States	744,000	745,000	777,000	776,000	Nearly one half of the increase in 1889–90 arose in Upper Burma, owing to tributes from the Shan States.
TOTAL - Rx	54,781,000	56,221,000	58,425,000	58,196,000	

and Estimates for 1889-90 and 1890-91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887-88.	Accounts, 1888-89.	Revised Estimate, 1889-90.	Budget Estimate, 1890-91.	REMARKS.
DIRECT DEMANDS ON THE REVENUE—*continued.*					
CHARGES IN RESPECT OF COLLECTION—*continued.*	Rx	Rx	Rx	Rx	
Assessed Taxes - -	29,000	27,000	28,000	31,000	
Forest - - -	720,000	792,000	816,000	848,000	The increase in 1888-89 arose mainly in Burma (where a payment of Rx 53,000 was made to the Bombay-Burma Trading Company on account of a claim against the former Native Government), but there was a considerable reduction in Bombay. In 1889-90 the cost was increased in Bombay, the North-West Provinces, and Lower Burma; and in 1890-91 the increase is expected chiefly in the Punjab, Bombay, and Upper Burma, with a reduction in Lower Burma.
Registration - - -	187,000	194,000	193,000	195,000	
TOTAL - Rx	9,438,000	9,738,000	9,015,000	9,776,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
	Rx	Rx	Rx	Rx	
INTEREST - -	747,000	842,000	868,000	790,000	In 1888–89 and 1889–90 the receipts in England from the investment of a portion of the cash balance were unusually high. A lower sum has been inserted in the estimate for 1890–91.
POST OFFICE, TELEGRAPH, AND MINT.					
Post Office - - -	1,214,000	1,282,000	1,304,000	1,386,000	In all three years a considerable increase arises in the sale of postage stamps and in fees for money-orders.
Telegraph - - -	764,000	742,000	769,000	793,000	In 1888–89 the abnormal receipts due to the military operations in Upper Burma fell off.
Mint - - -	252,000	221,000	267,000	244,000	The amount of silver tendered by the public for coinage in 1888–89 was less by Rx 534,000 than in 1887–88, and the coinage of copper was also restricted by the high price of the metal. In 1889–90 the coinage of silver was very large.
TOTAL - Rx	2,230,000	2,245,000	2,340,000	2,423,000	

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
INTEREST.	Rx	Rx	Rx	Rx	
Interest on Debt, other than that charged to Railways and Irrigation Works.	5,055,000	4,275,000	3,815,000	3,841,000	In 1888–89 there was in India an increase of Rx 99,000, attributable partly to arrears; in England the discharge of the 4 per cent. Stock caused a diminution of 240,000*l.*, but there was an excess of 121,000*l.* under this head through the necessity of raising, some time before the date of payment, the money needed for the purchase of the Oude and Rohilkund Railway (which, however, was to a great extent met by the temporary investment of the money, as shown on the Receipt side); owing to the fall in the gold value of silver, there was an increase of Rx 63,000 in exchange on the payment of interest; the charges in connection with the conversion of stock were less by 584,000*l.*, and the exchange thereon by Rx 239,000, making together a reduction of Rx 823,000 on this account. In 1889–90 there was in India a diminution of Rx 42,000, owing to the conversion of the 4½ per cent. Loan of 1870 into a 4 per cent. Loan, and to the transfer of debt to the railway portion of the account; in England there was a saving of 260,000*l.* through the absence of exceptional charges; and exchange was reduced by Rx 158,000. The Estimate for 1890–91 shows a saving of Rx 90,000 in India, but an increase of 80,000*l.* in England, and of Rx 36,000 in exchange.
Interest on other Obligations.	387,000	437,000	447,000	455,000	The increase is chiefly in the interest on savings bank deposits.
TOTAL - Rx	5,442,000	4,712,000	4,262,000	4,296,000	
POST OFFICE, TELEGRAPH, AND MINT.					
Post Office	1,375,000	1,343,000	1,366,000	1,420,000	In 1888–89 a saving of 25,000*l.* accrued under the new postal contract, and exchange was less by Rx 9,000. An increase in India in 1889–90 and 1890–91 arises under the Presidency and District Offices, and is partly due to the inclusion, for the first time, of the post offices in Mysore; in England the charge for stores in 1889–90 was unusually low.
Telegraph - - -	787,000	704,000	720,000	801,000	In 1888–89 the capital outlay was reduced, both in India and in England, owing to the contraction of operations in Upper Burma. The increase in 1889–90 was due to outlay on new lines. In 1890–91 it arises from large purchases of stores in England, and the exchange on the additional cost.
Mint - - -	94,000	100,000	119,000	108,000	The increase in 1888–89 occurred at Bombay, where some arrears were paid. In 1889–90 it was partly due to an alteration in the system of account at Bombay, and partly to heavier payments for stores in England.
TOTAL - Rx	2,256,000	2,147,000	2,205,000	2,329,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–9,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
CIVIL DEPARTMENTS:	Rx	Rx	Rx	Rx	
Law and Justice -	572,000	596,000	624,000	631,000	The increase in 1888–89 was mainly in the sale proceeds of jail manufactures in Bengal, and in general fees, fines, and forfeitures. In 1889–90 it arose chiefly from the more extended employment of prisoners in Burma, from fees in Bombay, and from recoveries from Native States on account of convicts at Port Blair.
Police - - -	350,000	353,000	367,000	358,000	
Marine - - -	195,000	212,000	190,000	192,000	In 1888–89 there were larger supplies to vessels of the Royal Navy, and to other departments.
Education - - -	225,000	212,000	203,000	205,000	In 1887–88 there was a recovery of arrears from District Boards in Bengal.

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
CIVIL DEPARTMENTS:					
General Administration -	Rx 1,770,000	Rx 1,745,000	Rx 1,754,000	Rx 1,770,000	In 1887–88 there was an exceptional payment in England for the management of the conversion of the 4 per cent. Stock, amounting, with exchange, to Rx 32,000. In 1888–89 the Secretariat expenses in Bengal (owing to special inquiries) and in Burma were increased, as well as the Local Fund Establishments in Bengal and Madras (in consequence of a change in the system of account), but there were reductions through the new contracts with the Presidency Banks in Madras and Bombay, and in the Upper Burma charges. In 1889–90 the increase arose in Lower Burma, where the salary of the Chief Commissioner was increased, a secretary to the Financial Commissioner was appointed, and the offices of account were strengthened. In the estimate for 1890–91 the increase is caused by full provision being made for the various establishments of the Government of India, without allowing for absentees and vacancies.
Law and Justice - -	3,423,000	3,529,000	3,561,000	3,648,000	The increase in 1888–89 was owing to additional judges in the High Court at Madras and the Chief Court at Lahore, to the cost of special prosecutions in Bombay, to the reorganisation of the Commission in Burma, to additional munsiffs in Bengal, to large supplies of jail manufactures to other departments (met by a corresponding increase in the receipts), and to the high price of provisions. In 1889–90 the increase was mainly due to the supply of additional officers for the criminal courts in Upper Burma, and to the extra cost of feeding prisoners in the North-West and the Central Provinces. In 1890–91 the estimate provides for a Judicial Commissioner and additional deputy and assistant Commissioners in Upper Burma, subordinate judges and munsiffs in Bengal, and expenditure on the jails in Bengal and the Punjab.
Police - -	3,693,000	3,754,000	3,886,000	3,949,000	In 1888–89 and 1889–90 there were additions of Rx 86,000 and Rx 52,000 in Upper Burma; and in 1889–90 there was also an increase in Bengal (owing to the whole cost of the police in Calcutta being now borne by the Government), in the North-West Provinces, and in Madras. A considerable increase is anticipated in 1890–91 in Lower Burma, Bombay, the Punjab, and Madras, with savings in Bengal and Upper Burma.
Marine - - -	671,000	578,000	675,000	619,000	In 1888–89 there was a reduction of Rx 41,000 in India, chiefly in connection with the operations in Burma, of 31,000*l.* in the contribution for H.M.'s ships employed in the Indian seas, of 9,000*l.* in stores, &c., and of Rx 12,000 in exchange. The increase in 1889–90 is attributable to the purchase of two vessels by the Government of India, and a steam launch for the port of Calcutta. In 1890–91 a new steamer is to be built for Assam.
Education - - -	1,292,000	1,294,000	1,304,000	1,396,000	The Budget for 1890–91 provides for additional expenditure in every province, especially on grants in aid in Bombay, Madras, and Lower Burma, and on schools in those provinces, the Punjab, and Upper Burma.
Ecclesiastical - -	159,000	157,000	160,000	167,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
CIVIL DEPARTMENTS —*continued.*	Rx	Rx	Rx	Rx	
Medical - - -	60,000	62,000	60,000	62,000	
Scientific and other Minor Departments.	94,000	73,000	75,000	74,000	In 1888–89 the reduction was due to a change in the form of account, the receipts for instruments and maps supplied to other departments being treated, not as revenue, but as a deduction from the expenditure of the Survey Department.
TOTAL - Rx	1,496,000	1,508,000	1,519,000	1,522,000	
MISCELLANEOUS:					
Superannuation -	404,000	391,000	371,000	363,000	The reduction in 1888–89 was due to the exhaustion of the capital of the Bengal Military Orphan Fund, and the diminution of the receipts from subscribers to the Military and Medical Retiring Funds; but, on the other hand, there was an exceptional contribution on account of officers who had served in Berar. The reduction in 1889–90 occurs in the subscriptions to the funds in India; and that in 1890–91 in similar subscriptions in England, and in the Exchange thereon.
Stationery and Printing -	80,000	68,000	70,000	73,000	The reduction in 1888–89 occurred principally in the Punjab, owing to an alteration of the system of supply for the North-Western Railway.

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
CIVIL DEPARTMENTS —*continued.*	Rx	Rx	Rx	Rx	
Medical - - -	765,000	772,000	781,000	810,000	The increase is general, except in Burma. In 1890–91 there is a slight reduction in Bengal.
Political - - -	685,000	756,000	719,000	731,000	In 1888–89 there was an increase of Rx 20,000 in the charges for the deportation of refugees and State prisoners from Persia, and of Rx 45,000 owing to the subsidy of the Amir of Afghanistan being drawn at irregular dates. In 1889–90 additional officers were employed on special duty in the Chin Hills, in the Shan States, and on the Siam Boundary Commission. The increase in 1890–91 arises chiefly in Bombay.
Scientific and other Minor Departments.	448,000	429,000	443,000	507,000	The reduction in 1888–89 was owing to the receipts for instruments and maps supplied to other departments being deducted from the expenditure of the Survey Department, instead of being treated as revenue. The increase in 1889–90 arose in England, partly on account of additional stores, and partly in consequence of the transfer to this head of the cost of purchasing stallions. In the estimate for 1890–91 the increase arises from the provision for the census.
TOTAL - Rx	12,906,000	13,014,000	13,283,000	13,597,000	
MISCELLANEOUS:					
Territorial and Political Pensions.	595,000	544,000	556,000	529,000	The reduction in 1888–89 was consequent on the death of the ex King of Oudh. In 1889–90 an increase was caused by the payment of arrears in Bombay. The reduction in 1890–91 is mainly due to the absence of such arrears and of some exceptional payments in England.
Civil Furlough Allowances.	309,000	318,000	299,000	316,000	The increase in 1888–89 was due to the fall in exchange. In 1889–90 the absentee allowances of civil officer were unusually low.
Superannuation - -	2,987,000	3,115,000	3,153,000	3,184,000	In 1888–89 there was an increase of Rx 35,000 in India, and of 14,000*l.* in England, and the charge for exchange was increased by Rx 79,000. The increase in 1889–90 arose in the payments in India; in 1890–91 it is expected to occur chiefly in the payments in England, with exchange
Stationery and Printing -	577,000	524,000	561,000	609,000	In Madras there was a large reduction in 1888–89; and the payments in England, including exchange, were less by Rx 48,000. In 1889–90 and 1890–91 the increase is chiefly in Bengal and Bombay, owing to the demands for locally-made paper

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
MISCELLANEOUS —*continued.*	Rx	Rx	Rx	Rx	
Exchange - -	744,000	952,000	453,000	443,000	The entry under Exchange is the net result of the Government undertaking the duty of making remittances on various accounts at *specified* rates. The receipts are consequent mainly on the capital transactions of the subsidised railway companies, which were very large in 1887–88 and 1888–89.
Miscellaneous - -	378,000	382,000	431,000	364,000	In 1888–89 an increase arose in the unclaimed deposits in Bengal and the North-West Provinces, but certain recoveries during the previous year in Upper Burma did not recur. In 1889–90 the increase arose partly from a fine on a Kareni chief, and partly from the repayment of a loan by the Bombay Port Trust.
TOTAL - Rx	1,606,000	1,793,000	1,325,000	1,243,000	

and Estimates for 1889–90 and 1890–91, with Explanations—*continued*.

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
MISCELLANEOUS —*continued.*	Rx	Rx	Rx	Rx	
Miscellaneous - -	293,000	383,000	280,000	307,000	In 1888–89 the excess was due to the outstanding claims against the late Government of Burma, and to the cost of various special Commissions. The increase in 1890–91 arises chiefly from the provision made in Madras and the Punjab to meet unforeseen charges.
TOTAL - Rx	4,761,000	4,884,000	4,849,000	4,945,000	
FAMINE RELIEF AND INSURANCE:					
Famine Relief - -	—	8,000	100,000	10,000	The expenditure in 1888–89 was for charitable relief and relief works in various districts of Bengal. In 1889–90 the outlay was for relief, half in Ganjam and half in Bengal. The provision in 1890–91 is for the latter province.
Construction of Protective Railways.	—	—	—	—	In the four years sums of Rx 285,000, 430,000, 458,000, and 433,000, respectively, though included in the Railway Revenue Account, are treated as chargeable against Famine Insurance. They represent, in 1887–88 interest payable to the Indian Midland and Bengal-Nagpur Railway Companies, and in the later years the net charge on account of those railways.
Construction of Protective Irrigation Works.	91,000	70,000	74,000	65,000	The outlay was chiefly on the Orissa Coast, Betwa, Swat River, Buckingham, Rushikulya, and Nira Canals.
Reduction of Debt -	—	—	433,000	525,000	This is surplus revenue appropriated to the construction of public works, the ordinary loan for that purpose being diminished accordingly.
TOTAL - Rx	91,000	78,000	607,000	600,000	
CONSTRUCTION OF RAILWAYS (charged against Revenue in addition to that under Famine Insurance).	81,000	22,000	6,000	5,000	The charge in 1887–88 and 1888–89 was almost entirely for the Lucknow - Sitapur - Seramau Railway, which has now been transferred to the Rohilkhand - Kumaon Railway Company for completion; some money, however, for the Jorhat and Cherra-Companyganj lines, is included in each year, and in 1890–91 also for the Kannia Dhurla Railway.

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
RAILWAYS:	Rx	Rx	Rx	Rx	
State Railways (Gross Earnings).	10,872,000	11,827,000	13,360,000	13,777,000	In 1888–89 there were improvements, caused chiefly by enlarged traffic, of Rx 205,000 on the Rajputana-Malwa, Rx 385,000 on the North-Western, and Rx 112,000 on the Eastern Bengal systems, as well as Rx 78,000 on the Indian Midland, and Rx 67,000 on the Southern Mahratta lines, owing to the opening of fresh sections, of Rx 32,000 on the Tounghoo-Mandalay Railway, and Rx 33,000 on other lines, but the East Indian Railway showed a fall of Rx 132,000; the inclusion of the Oudh and Rohilkhand Railway as a State line, for the last three months of the year, added Rx 175,000 under this head. In 1889–90 there was a further increase of Rx 610,000 owing to that railway being treated as a State line during the whole year; an increase of Rx 292,000 on the North-Western in consequence of an exceptionally good traffic in grain, Rx 182,000 on the Indian Midland Railway, and Rx 126,000 on the Tounghoo-Mandalay, which lines are now completed, Rx 74,000 on the Eastern Bengal, Rx 54,000 on the Southern Mahratta and Mysore system, and Rx 54,000 on the Bengal-Nagpur, owing to the opening of further sections, Rx 49,000 on the Tirhoot, Rx 36,000 on the Rajputana-Malwa, Rx 36,000 on the Burma railway, and Rx 20,000 on other lines. In the estimate for 1890–91 there is an addition of Rx 133,000 owing to the inclusion of the South Indian Railway as a State line after the 1st of January 1891, of Rx 123,000 from the Indian Midland which will be open for the whole year, Rx 102,000 from the Bengal Nagpur which is expected to be completed in December next, Rx 95,000 from the Southern Mahratta and Mysore system owing to its completion, Rx 35,000 from the Oudh and Rohilkhand, Rx 30,000 from the Burma, and Rx 64,000 from other railways; but on the North-Western system a reduction of Rx 165,000 is anticipated, in consequence of the poor prospect of the harvest.

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
RAILWAY REVENUE ACCOUNT:	Rx	Rx	Rx	Rx	
State Railways: Working Expenses.	5,594,000	6,059,000	6,796,000	7,096,000	In 1888–89 additions occurred of Rx 109,000 on the North-Western, and Rx 66,000 on the East Indian Railway, owing to renewal of permanent way and stock, and of Rx 48,000 on the Rajputana-Malwa owing to increased traffic, of Rx 32,000 on the Tounghoo-Mandalay, Rx49,000 on the Indian Midland, Rx 31,000 on the Bengal-Nagpur, and Rx 71,000 on the Southern Mahratta, owing to extensions, of Rx 55,000 by including the Oudh and Rohilkund Railway for three months, and of Rx 32,000 on other lines; the surplus profits paid to companies for working State railways were reduced by Rx 28,000. In 1889–90 the Oudh and Rohilkhand railway, being included for the whole year in this class, shows an increase of Rx 295,000; there is, owing to the opening of further sections, an addition of Rx 133,000 on the Indian Midland, Rx 39,000 on the Bengal-Nagpur, and Rx 33,000 on the Mysore line; of Rx 91,000 on the Tounghoo-Mandalay, and Rx 88,000 on the North-Western, due to increased traffic, and in the latter case also owing to damage from floods; of Rx 33,000 on the Rajputana-Malwa railway, and of Rx 22,000 on other lines; while the surplus profits paid to companies were augmented by Rx 3,000. The increase estimated in 1890–91 comprises Rx 74,000 on the Indian Midland, and Rx 54,000 on the Bengal-Nagpur railway, owing to additional length open, Rx 43,000 on the Southern Mahratta, and Rx. 75,000 on other lines; the purchase of the South Indian railway is expected to add Rx 83,000 by its transfer to this head for the last quarter of the year; and the surplus profits paid to companies are estimated at a reduction of Rx 29,000 from the previous year.
State Railways: Interest on Debt.	3,342,000	3,599,000	4,000,000	4,127,000	Of the increase in 1888–89 Rx 115,000 arose in India, owing to the additional capital spent by the Government on the construction of State railways; the charge in England was increased by 80,000*l.*, owing partly to the payment of a fifth quarter's interest on $3\frac{1}{2}$ substituted for 4 per cent. Stock issued in exchange for East Indian Railway annuities, and partly to the purchase of the Oude and Rohilkund railway. In 1889–90 there was a further increase of 299,000*l.* under this head owing to that purchase, but a saving of 69,000*l.* in the interest charged against the East Indian Railway, while the charge in India was higher by Rx 77,000. Exchange caused an increase of Rx 62,000 and Rx 94,000 in the two years. The increase anticipated in 1890–91 arises almost entirely in India.
State Railways: Annuities in purchase of Railways.	2,391,000	2,474,000	2,447,000	2,451,000	The variations in the amount are mainly caused by the alteration of exchange.
State Railways: Interest chargeable against Companies on Advances.	—	—	76,000	178,000	This is that portion of the interest on debt which is charged to the Southern Mahratta, Indian Midland, Bengal-Nagpur, and Bengal Central railway companies on account of advances made to them for the construction of lines through their agency, or for the discharge of debentures, instead of the companies raising the money by the issue of their debentures guaranteed by the Government.

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
RAILWAYS—*continued.*	Rx	Rx	Rx	Rx	
Guaranteed Companies (Net Traffic Receipts).	3,636,000	3,651,000	3,100,000	3,342,000	In 1888–89 an improvement of Rx 67,000 took place on the Great Indian Peninsula Railway, of Rx 55,000 on the Madras, and of Rx 69,000 on the two other lines; but a reduction of Rx 177,000 under this head was caused by the transfer of the Oude and Rohilkund line to the class of State railways for the last quarter of 1888–89. In 1889–90 a further reduction of Rx 169,000 was due to the removal of that line from this category for the whole year; there was a reduction of Rx 429,000 in the net receipts of the Great Indian Peninsula Railway, owing to the failure of the wheat traffic, and to a diminution of that in linseed and in the carriage of railway materials; on the other lines an improvement of Rx 47,000 occurred. In 1890–91 the Great Indian Peninsula line is expected to show a recovery of Rx 260,000, and the two other lines to give an increase of Rx 20,000; but, owing to the purchase of the South Indian Railway, and its consequent transfer to the State Railways in the last quarter of the year, there is a reduction under this head of Rx 38,000.
Subsidized Companies (repayment of Advances of Interest).	25,000	42,000	43,000	32,000	The figures represent the recovery from the Mysore State on account of the excess of interest on the capital outlay upon its line over the net receipts of the railway.
TOTAL - Rx	14,533,000	15,520,000	16,503,000	17,151,000	

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
RAILWAY REVENUE ACCOUNT—*continued.*	Rx	Rx	Rx	Rx	
State Railways: Interest on Capital deposited by Companies.	666,000	949,000	992,000	990,000	The figures refer to the Southern Mahratta, Indian Midland, Bengal-Nagpur, and Bengal Central Railway Companies. Of the increase in 1888–89, Rx 98,000 occurred in exchange.
Guaranteed Companies: Surplus Profits, Land, and Supervision.	714,000	615,000	468,000	569,000	The moiety of surplus profits payable to the Companies appears as follows in the accounts and estimates:
Guaranteed Companies: Interest.	3,853,000	3,959,000	3,399,000	3,444,000	There was an additional charge on account of exchange of Rx 122,000 in 1888–89; but the interest on overdrawn capital in India was reduced. In 1889–90 there was a reduction of 360,000*l.* (or, with exchange, Rx 560,000) under this head, owing to the removal of the Oude and Rohilkund railway from this class.
Subsidized Companies: Land, &c.	44,000	28,000	74,000	52,000	This is compensation for and taken up for the Bengal and North-Western and Delhi-Umballa-Kalka Railways, and subsidies to the Dibru-Sadiya and Rohilkhand-Kumaon Companies.
Miscellaneous Expenditure.	52,000	71,000	155,000	111,000	Chiefly for surveys, and for Director-General's, Port Storekeepers', and other Establishments. In 1889–90 and 1890–91 there are heavy charges for surveys in Burma, and for the Mogulserai-Howrah and East Coast lines; and in 1889–90 there was also an exceptional payment of Rx 49,000 for Abt material for the Bolan high level railway.
TOTAL - Rx	16,656,000	17,754,000	18,407,000	19,018,000	

	1887–88.	1888–89.	1889–90.	1890–91.
	Rx	Rx	Rx	Rx
Bombay and Baroda -	170,000	127,000	152,000	148,000
Great Indian Peninsula -	493,000	443,000	284,000	382,000
Rx	663,000	570,000	436,000	530,000

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
IRRIGATION:	Rx	Rx	Rx	Rx	
Major Works: Direct Receipts.	951,000	1,062,000	1,151,000	1,174,000	In both 1888–89 and 1889–90 the improvement occurred chiefly on the Sirhind and other canals in the Punjab, except the Western Jumna Canal which showed a large decrease, owing to the seasonable rainfall. In 1890–91 an improvement is expected in the North West Provinces, owing to the restoration of the Nadrai aqueduct and to extended irrigation.
Major Works: Portion of Land Revenue due to Irrigation.	602,000	671,000	669,000	688,000	In 1888–89 the increase occurred in the delta systems in Madras, and on the works in Sind.
Minor Works and Navigation.	161,000	168,000	165,000	173,000	
TOTAL - Rx	1,714,000	1,901,000	1,985,000	2,035,000	
BUILDINGS AND ROADS:					
Military Works -	40,000	43,000	40,000	38,000	The receipts are usually derived from the rents of buildings and sale of old materials.
Civil Works -	552,000	562,000	609,000	551,000	The receipts are mostly derived from rents, sale of stores, proceeds of workshops, tolls, and ferries. In 1889–90 there was an exceptional receipt of Rx 45,000 from the sale of the Barakar Ironworks to the Bengal Iron and Steel Company.
TOTAL - Rx	592,000	605,000	649,000	589,000	

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
IRRIGATION:	Rx	Rx	Rx	Rx	
Major Works: Working Expenses.	678,000	722,000	724,000	729,000	The increase was mainly due to the extension of the distributary system of the Sirhind Canal, and to emergent repairs in the Punjab.
Major Works: Interest on Debt.	1,018,000	1,041,000	1,061,000	1,083,000	The increase arises from further capital outlay.
Minor Works and Navigation.	766,000	860,000	924,000	927,000	The increase in 1888–89 was principally due to the restoration of tanks in Madras, to the construction of irrigation works in Upper Burma, and to repairs of embankments and the construction of a flood escape in Lower Burma. In 1889–90 it occurred in Bombay and Bengal. In 1890–91 there is to be considerable outlay on repairs in Madras.
TOTAL - Rx	2,462,000	2,623,000	2,709,000	2,739,000	
BUILDINGS AND ROADS:					
Military Works - -	1,232,000	1,108,000	1,158,000	1,161,000	An average sum of Rx 1,000,000 a year is granted for the construction and repair of military works throughout India, besides Rx 150,000 for Burma. The reduction in 1888–89 was chiefly due to less expenditure in Upper Burma, and on the North-West Frontier, while there was an addition of Rx 49,000 in Bombay, where the outlay had been previously restricted.
Civil Works - -	4,219,000	4,203,000	4,281,000	4,556,000	In 1888–89 the expenditure was reduced on the frontier roads in Biluchistan, the Viceregal residence, the telegraph office in Bombay, and various important works in Burma which had been completed; but there was a large additional outlay in Bengal on buildings for the judicial, police, and other departments, and on feeder roads in connexion with the Bengal-Nagpur Railway. In 1889–90 a considerable saving occurred in Bengal and the Punjab, but this was counterbalanced by the increase in the Central Provinces and Burma. In 1890–91 a large increase is anticipated in Madras, Bombay, the North-West Provinces, and Burma, but a further reduction in the Punjab.
TOTAL - Rx	5,451,000	5,311,000	5,439,000	5,717,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
ARMY SERVICES:	Rx	Rx	Rx	Rx	
Army: Effective -	983,000	989,000	953,000	909,000	The reduction in 1889–90 and 1890–91 occurs chiefly in the commissariat receipts, owing to the diminution of the force in Burma.
Army: Non-effective -	78,000	73,000	69,000	74,000	
TOTAL - Rx	1,061,000	1,062,000	1,022,000	983,000	

and Estimates for 1889-90 and 1890-91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887-88.	Accounts, 1888-89.	Revised Estimate, 1889-90.	Budget Estimate, 1890-91.	REMARKS.
ARMY SERVICES:	Rx	Rx	Rx	Rx	
Army : Effective - -	16,862,000	16,507,000	17,046,000	17,519,000	In 1888-89 there were charges of Rx 121,000 for the Hazara expedition, Rx 204,000 on account of Sikkim, and Rx 49,000 owing to the Lushai Expedition; there was a reduction of Rx 844,000 in the extra expenditure in Upper Burma, but an increase of Rx 158,000 on other accounts in India (of which Rx 65,000 was in the increased number of rupees paid to the British soldiers owing to the fall in exchange, and Rx 82,000 in ordnance stores, camp equipage, &c.); in England the charges were reduced by 86,000*l.* owing to a less demand for stores, but there was an increase of Rx 43,000 for exchange. In 1889-90 there was an exceptional payment of 170,000*l.* (or, including exchange, Rx 246,000) on account of arrears due to the War Office for the home charges of British troops; and the cost of magazine rifles, breech-loading guns, and other stores, was estimated to be higher by 150,000*l.* (or Rx 217,000); in India there were exceptional charges of Rx 300,000 for the purchase of transport animals, provisions, and equipments, for the mobilisation of an Army Corps, and Rx 366,000 for the Chin-Lushai Expedition. In 1890-91 the charge for military stores is estimated to be heavier by 556,000*l.* (or about Rx 800,000), owing to the cost of arming the British troops with the magazine rifle, and of supplying 21 more batteries with 12-pounder breech-loading guns; the estimate of payments in India includes Rx 200,000 on account of the Chin-Lushai expedition, and Rx 60,000 for mobilisation.
Army : Non-effective -	3,556,000	3,795,000	3,888,000	3,986,000	From the 1st of April 1884, the system of paying, in respect of officers and men of the British Forces, the capitalised value of the share of India in each pension when granted, was abandoned, and the charge borne by India during the year was henceforward to be her portion of each pension according to actuarial tables of life. The result was a decrease of 705,000*l.* at first, but the amount will gradually rise again for many years. In 1888-89 the increase of the non-effective charge in India was Rx 19,000; in England, on account of the British forces 48,000*l.*, for Indian officers, &c., 43,000*l.*, and for exchange Rx 128,000. In 1889-90 there was an increase of Rx. 28,000 in India, and 66,000*l.* in England; and in 1890-91 it is estimated that there will be an increase of 77,000*l.* in England, and of Rx 34,000 in exchange, but a reduction of Rx 13,000 in India.
TOTAL - Rx	20,418,000	20,302,000	20,934,000	21,505,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887–88 and 1888–89,

REVENUE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
	Rx	Rx	Rx	Rx	
TOTAL REVENUE Rx	78,760,000	81,697,000	84,636,000	84,932,000	

and Estimates for 1889-90 and 1890-91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887-88.	Accounts, 1888-89.	Revised Estimate, 1889-90.	Budget Estimate, 1890-91.	REMARKS.
	Rx	Rx	Rx	Rx	
SPECIAL DEFENCE WORKS.	456,000	790,000	758,000	892,000	The expenditure is incurred on redoubts, military posts, blockhouses, and roads, on the North-West Frontier, on defences at Aden, Bombay, Karachi, and Rangoon, and in the Hooghly, and on guns and stores in England. In 1888-89 the expenditure in India was increased by Rx 77,000, owing to greater activity on the works at Bombay and Karachi, and in Burma; the payments in England were larger by 174,000*l.*, and the charge for exchange was heavier by Rx 83,000. In 1890-91 there is an increase of 79,000*l.* for stores, and of Rx 35,000 in exchange.
TOTAL EXPENDITURE, Imperial and Provincial	80,418,000	81,375,000	82,474,000	85,419,000	Of the increase of Rx 5,001,000 in the estimate for 1890-91 over 1887-88, Rx 697,000 is caused by exchange; and, excluding exchange, Rx 1,982,000 occurs in the expenses connected with railways, Rx 897,000 under Army and Special Defence Works, Rx 527,000 in other Public Works, Rx 373,000 in Civil Expenditure, and Rx 525,000 in the appropriation from revenue for Reduction of Debt.
PROVINCIAL ADJUSTMENTS:					
Deficits: Expenditure by Provincial Governments from their balances.	—	—	—	*– 757,000*	In 1887-88, 1888-89, and 1889-90, the Provincial Governments spent less than their income, the saving being added to their balances. In 1890-91 they are expected to spend, besides the whole of their annual allotments, sums which have accumulated in their balances from the savings of previous years. In 1890-91 special contributions will be made to the revenues of the Government of India, amounting to Rx 490,000, of which Madras and Bombay each contribute Rx 175,000, Bengal Rx 100,000, the Central Provinces Rx 30,000, and Assam Rx 10,000. According to the Accounts and Estimates of the four years, the Government of Bombay will have expended from its balances Rx 190,000; the Central Provinces Rx 67,000; and India General Rx 1,000; while the balances of Madras and Bengal are each estimated to be higher by Rx 139,000, Burma by Rx 102,000, the North-West Provinces by Rx 85,000, the Punjab by Rx 43,000, and Assam by Rx 1,000. The total net increase is thus Rx 251,000.
Surpluses: Allotments to Provincial Governments unspent by them.	371,000	285,000	352,000	—	
TOTAL EXPENDITURE charged against the Revenue of the Year Rx	80,789,000	81,660,000	82,826,000	84,662,000	

STATEMENT showing the Principal Figures in the Indian Accounts for 1887-88 and 1888-89,

REVENUE.	Accounts, 1887-88.	Accounts, 1888-89.	Revised Estimate, 1889-90.	Budget Estimate, 1890-91.	REMARKS.

and Estimates for 1889–90 and 1890–91, with Explanations—*continued.*

EXPENDITURE.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.	REMARKS.
EXPENDITURE NOT CHARGED TO REVENUE:					
Capital Outlay on Railways and Irrigation Works:	Rx	Rx	Rx	Rx	
State Railways -	2,252,000	1,178,000	3,066,000	3,200,000	In 1887–88 the outlay (including that from revenue) was actually Rx 3,723,000, but there were refunds amounting to Rx 1,390,000 from the Bengal-Nagpur Railway Company, on the transfer to it of the line already constructed by the State. Similarly, in 1888–89, the outlay was Rx 2,607,000, but the Indian Midland Company refunded Rx 921,000, and the Bengal-Nagpur Company Rx 486,000, on the transfer to them of the Sindia and Katni-Umaria lines, respectively. The total outlay on the construction of State Railways during these four years, is as follows:—
Irrigation Works	533,000	460,000	402,000	550,000	The outlay occurs on the following works:—
TOTAL - Rx	2,785,000	1,638,000	3,468,000	3,750,000	
Capital Charge involved in Redemption of Liabilities:	£	£	£	£	
Oude and Rohilkund Railway.	—	10,336,000	—	—	Capital charge involved in purchase of Railways, and discharge of, and assumption of liability for, Debentures and Debenture Stock.
South Indian Railway.	—	—	—	4,695,000	
TOTAL £ -	—	10,336,000	—	4,695,000	

——	1887–88.	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx	Rx
From Borrowed Money -	2,252,000	1,178,000	3,066,000	3,200,000
From Revenue - -	81,000	22,000	6,000	5,000
TOTAL - Rx	2,333,000	1,200,000	3,072,000	3,205,000
DISTRIBUTION.				
East Indian - -	58,000	*—4,000*	201,000	30,000
Eastern Bengal - -	207,000	122,000	186,000	66,000
Assam-Behar and Tirhoot	248,000	321,000	272,000	142,000
Lucknow-Sitapur-Seramau	65,000	18,000	4,000	—
Bengal-Nagpur - -	*—1,379,000*	*—486,000*	103,000	—
Sindia - - - -	—	*—921,000*	—	—
Rajputana-Malwa - -	127,000	51,000	7,000	*—7,000*
North-Western - -	952,000	*—23,000*	301,000	299,000
Sindh - Sagar: Western Section.	231,000	180,000	25,000	172,000
Sindh-Pishin - -	164,000	254,000	70,000	
Bolan High Level Line -	77,000	91,000	*—35,000*	
Chenab Bridge - -	9,000	204,000	200,000	2,000
Chaman Extension -	167,000	453,000	656,000	190,000
Frontier Railways Reserve Material.	48,000	*—103,000*	11,000	63,000
Bellary-Kistna - -	421,000	—	1,000	—
Villupuram-Guntakal -	87,000	96,000	813,000	974,000
Bezvada Extension -	35,000	47,000	5,000	5,000
Burma - - - -	23,000	85,000	46,000	13,000
Tounghoo-Mandalay -	1,057,000	757,000	64,000	
Mu Valley - - -	—	—	194,000	500,000
East Coast - - -	—	—	—	250,000
Other Lines - - -	*—2,000*	6,000	30,000	91,000
Stores and Reserve -	*—372,000*	52,000	*—82,000*	415,000
TOTAL - Rx	2,333,000	1,200,000	3,072,000	3,205,000

——	1887–88.	1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx	Rx
From Borrowed Money -	533,000	460,000	402,000	550,000
From Revenue - -	94,000	79,000	86,000	102,000
TOTAL - Rx	627,000	539,000	488,000	652,000
DISTRIBUTION.				
Orissa Canals - -	41,000	62,000	33,000	45,000
Hidgellee Tidal Canal -	—	—	6,000	31,000
Lower Ganges Canal -	136,000	94,000	68,000	80,000
Western Jumna Canal -	28,000	17,000	7,000	3,000
Sirhind Canal - -	75,000	29,000	8,000	5,000
Chenab Canal - -	77,000	56,000	60,000	100,000
Sirsa Branch Canal -	—	—	14,000	53,000
Kistna Delta System -	41,000	53,000	51,000	43,000
Periyar Project - -	27,000	59,000	75,000	78,000
Rushikulya Project -	26,000	26,000	32,000	35,000
Nira Canal - -	40,000	36,000	31,000	24,000
Other Works - -	136,000	107,000	103,000	155,000
TOTAL - Rx	627,000	539,000	488,000	652,000

NET REVENUE AND EXPENDITURE.

Net Revenue.

Gross Revenue, deducting Refunds and Drawbacks and Charges of Collection.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx	Rx
Land Revenue - - - -	19,653,000	19,456,000	20,130,000	20,119,000
Opium - - - - -	6,091,000	5,964,000	6,891,000	5,898,000
Salt - - - - -	6,226,000	7,218,000	7,737,000	7,744,000
Stamps - - - - -	3,669,000	3,729,000	3,881,000	3,846,000
Excise - - - - -	4,374,000	4,541,000	4,654,000	4,[illegible],000
Provincial Rates - - -	2,965,000	2,978,000	3,283,000	3,298,000
Customs - - - -	1,182,000	1,168,000	1,304,000	1,378,000
Assessed Taxes - - -	1,383,000	1,478,000	1,524,000	1,514,000
Forest - - - - -	402,000	555,000	628,000	565,000
Registration - - - -	123,000	137,000	153,000	150,000
Tributes from Native States - -	744,000	745,000	777,000	776,000
	46,812,000	47,969,000	50,962,000	49,933,000
Deduct: Assignments and Compensations -	1,469,000	1,486,000	1,552,000	1,513,000
Net Revenue - - Rx	45,343,000	46,483,000	49,410,000	48,420,000

Net Expenditure.

Gross Expenditure, deducting Receipts.	Accounts, 1887–88.	Accounts, 1888–89.	Revised Estimate, 1889–90.	Budget Estimate, 1890–91.
	Rx	Rx	Rx	Rx
Interest - - - - -	4,695,000	3,870,000	3,394,000	3,506,000
Post Office, Telegraph, and Mint -	26,000	*–98,000*	*–135,000*	*–94,000*
Civil Departments - - -	11,410,000	11,506,000	11,764,000	12,075,000
Miscellaneous Civil Charges - -	3,155,000	3,091,000	3,524,000	3,702,000
Famine Relief and Insurance - -	91,000	78,000	607,000	600,000
Construction of Railways (charged against Revenue, in addition to that under Famine Insurance).	81,000	22,000	6,000	5,000
Railway Revenue Account - -	2,123,000	2,234,000	1,904,000	1,867,000
Irrigation - - - -	748,000	722,000	724,000	704,000
Buildings and Roads - - -	4,859,000	4,706,000	4,790,000	5,128,000
Army Services - - -	19,357,000	19,240,000	19,912,000	20,522,000
Special Defence Works - - -	456,000	790,000	758,000	892,000
	47,001,000	46,161,000	47,248,000	48,907,000
Provincial Adjustments - - -	371,000	285,000	352,000	*–757,000*
Net Expenditure - Rx	47,372,000	46,446,000	47,600,000	48,150,000
Surplus (+), or Deficit (–) - Rx	*–2,029,000*	+ 37,000	+ 1,810,000	+ 270,000

India Office,
2nd May 1890.

HENRY WATERFIELD,
Financial Secretary.

EAST INDIA (FACTORY LABOUR).

RETURN to an Address of the Honourable The House of Commons, dated 31 July 1888;—*for*,

'COPY of the REPORT of the BOMBAY FACTORY COMMISSION, dated the 6th day of January 1885, and of the RESOLUTION of the GOVERNMENT of BOMBAY thereon."

India Office,
2 August 1888.

J. A. GODLEY,
Under Secretary of State for India.

(*Mr. James Maclean.*)

Ordered, by The House of Commons, *to be Printed,*
3 *August* 1888.

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COPY of the REPORT of the BOMBAY FACTORY COMMISSION, dated the 6th day of January 1885, and of the RESOLUTION of the GOVERNMENT of BOMBAY thereon.

REPORT and PROCEEDINGS of the COMMISSION appointed to consider the working of FACTORIES in the BOMBAY PRESIDENCY.

To *J. Nugent*, Esquire, Secretary to Government, General Department.

Sir,

WE the undersigned Commissioners appointed by Government Resolution, No. 1766, dated 23rd May 1884, to report on the advisability of extending Mr. Meade King's suggestions to textile and other factories, and to consider the whole subject in all its bearings, after hearing the evidence of the Inspector of Factories and other witnesses whom we might think fit to examine, have the honour to report as follows.

With the object of making the Commission a thoroughly representative one, the Collector of Bombay was directed to consult the Chairman of the Chamber of Commerce and the Chairman of the Mill Owners' Association, and to ascertain from those gentlemen what members, not exceeding three or four in all, would satisfactorily represent on the proposed Committee the industries concerned, viz., the textile factories in respect of the administration of which further legislative regulations and restrictions might be imposed by new legislation.

The result of such consultation was that Government in their Resolution No. 2105, dated 18th June, on the recommendation of the Chamber of Commerce, appointed Mr. G. Cotton, of Messrs. Greaves, Cotton & Co., and Mr. J. L. Symons, of Messrs. Finlay, Muir & Co., and on that of the Mill Owners' Association, appointed Mr. Nanabhoy B. Jeejeebhoy and Mr. Muncherjee Nowrojee Banajee to be members of the Committee, nominating at the same time Mr. Sorabjee S. Bengallee, C.I.E., Dr. Thomas Blaney, and Khán Bahádur Muncherjee C. Murzban likewise members, and the Collector of Bombay President, with a casting vote. Shortly after the commencement of the inquiry, Mr. Symons, owing to press of work, resigned office, and Mr. Gordon, Secretary of the Chamber of Commerce, was appointed by Government Resolution No. 2770, dated 5th August 1884, in his place. We have to regret the death of the latter gentleman only a few weeks before the submission of this report.

Government by their Resolution No. 3183, dated 3rd September 1884, directed a Medical Committee, consisting of—

Surgeon-Major I. B. Lyon,
" " W. Gray,
" " G. Waters.
Mr. N. H. Chokshi, L.M. & S.,

to investigate the subject of the general health and physical condition of mill-operatives as compared with other labourers in the City of Bombay, and lay the result of their investigation before our Committee; and further, in Resolution No. 3788, dated 16th October, authorized the Sanitary Commissioner to examine the sanitary condition of the mills, factories, and workshops, and give evidence before us.

We held 27 meetings and examined 20 witnesses on the subject of the larger and 14 on that of the smaller factories. We also personally inspected some of the mills and minor factories or workshops, and have made notes on the points that struck us. By Government letter No. 2685, dated 30th July 1884, we likewise were directed to make inquiries as to the advisability of extending the provisions of the Boiler Act (Bombay V. of 1873) to boilers of 10 and less horse-power, and on this subject we have forwarded a separate report.

At one of our first meetings it was decided that each member of the Commission should prepare the questions he wished to put to witnesses, and the questions so prepared were handed to the Secretary, Mr. Jones, who embodied them in a general list. It was further resolved that any witness whose evidence was considered necessary by a member should be summoned and examined. With the exception of eight all those called were named by Mr. Jones. We are indebted to Mr. K. N. Servai, formerly Factory Inspector, for having also produced some very important witnesses on the subject of minor factories in Khándesh.

The following is a list of the witnesses, and, from their occupations and professions, it will be seen that they could not but have a practical and intimate knowledge of the subject regarding which they were invited to give evidence:—

WITNESSES on the subject of the Mills and large Factories.

I.—Mr. Hormasjee Sorábjee, Manager, Colába Mill.

II.—Mr. John Edwards, Manager, Mahálakshmi Mill.

III.—Mr. Jones, Government Inspector of Factories.

IV.—Mr. Kharsedjee N. Servai, License-tax Officer.

V.—Mr. J. H. Dunkerly, Manager, Empress Mill.

VI.—Mr. J. T. Barett, Manager, Sevlál Motilál Mill.

VII.—Mr. J. Hammett, Manager, New Great Eastern Mill.

VIII.—Mr. N. N. Wádia, Manager, Manockjee Petit, Dinshaw Petit and Victoria Mill.

IX.—Mr. S. Parkington, Weaving Master of Morájee Gokaldás Mill.

X.—Mr. Jehánghir H. Modi, Agent of National Mill and Southern India Mill, Madras.

XI.—Mr. Raghoo Bhicajee, Mule Jobber in Empress Mill.

XII.—Mr. Genoo Babjee, Mule Jobber in Alexandra Mill.

XIII.—Mr. Narayan Surkojee, Head Jobber in Anglo-India Mill.

XIV.—Mr. Dinshaw Manockjee Petit, owner of the mills—(1) Manockjee Petit; (2) Dinshaw Petit; (3) Framjee Petit; (4) Mázgaon; (5) Victoria; (6) Gordon, and Director of several other Companies.

XV.—Mr. Narayan Meghajee Lokhande, Editor of the "Din Bandhu," Newspaper.

XVI.—Mr. Karsandás Valabdás, Agent for the Khatau Makanji Spinning and Weaving Company and Jivráj Bálu Spinning and Weaving Company.

XVII.—Mr. Gokaldás Jagmohandás, Agent of Ripon Manufacturing Company.

XVIII.—Sakoo, Female, Overseer of Reeling Department, Colába Mill.

XIX.—Maya, Girl, Throstle Department, Colába Mill.

XX.—Akoo, Reeler, Colába Mill.

The statement of Ráo Bahádur Bechardás Ambaidás, C.S.I., Proprietor of the Bechardás Spinning Mill, Ahmedabad, was taken, recorded, and forwarded by Mr. Reid, District Magistrate and Collector, Ahmedabad.

WITNESSES on the subject of the smaller Factories.

I.—Mr. Jamsedjee Hormasjee, Manager of the Framji Byrámji Flour Mill, Tank Street.

II.—Mr.

II.—Mr. Nowrojee N. Bhedwar, Partner, Corn-grinding and Wool-cleaning Factory, Duncan Road.

III.—Mr. Rustomjee F. Wádia, Manager of Pachora Press and Ginning Factory, Khándesh.

IV.—Mr. Thomas Carpenter, Engineer Superintendent of Sassoon Reformatory.

V.—Mr. Rahimtulla Virji, Proprietor of Mohamedan and Bhuj Flour Mill.

VI.—Mr. John C. Stuart, Proprietor of Bone-crushing Mill, Frere Bandar.

VII.—Mr. W. Moylan, Government Inspector of Steam Boilers.

VIII.—Mr. J. Jones, Government Inspector of Factories.

IX.—Mr. T. Anderson, Machinery Inspector, Dockyard.

X.—Mr. T. Drewet, Consulting Engineer.

XI.—Mr. Soorjee Hemráj, Manager of the Pachora Ginning and Press Company.

XII.—Mr. Hormasji Kursedji, Manager of Messrs. Graham & Co.'s Press, Khángam.

XIII.—Tánu Bápu, Overseer to Contractor, Khángam Press.

XIV.—Mr. Kharsedji N. Servai, License-tax Officer, formerly Inspector of Factories.

When making our proposals we deem it advisable to follow the order of the sections in the present Factory Act, XV. of 1881, as Mr. Meade King has done; and under each section, after having compared the law in force in India with that in England, and noted the suggestions made by Mr. Meade King, who was deputed by the Secretary of State at the request of the Bombay Government to report on the working of the Factory Act, we will state our own views. A few important points not falling under any particular section of the Act first call for remark however.

GENERAL OBSERVATIONS.

From the point of view of the owner of factories we would strongly urge, if the law is to be amended, the necessity for assimilating it throughout India. To further enforce restrictions on production in the great centre of cotton industry, Bombay will, as pointed out by the Government of India, handicap her trade and subject it to most unfair competition. The effect of special legislation for the Bombay Presidency would not only be anomalous but invidious, operating as a measure of protective exemption to the trade of the other Presidencies, and giving rise to jealousy and dissatisfaction. We therefore trust that the moderate changes we suggest will be made generally applicable to India, as we have not made them without adequate and strong reasons, as we believe that the progress of manufacture will not be impeded by them, and, as we believe, they will prove conducive in the end to the welfare of both employers and employed.

Sanitary Provisions.

The total absence of all sanitary provisions in the Indian Factory Act has been much commented on by Mr. Meade King, and we consider some provisions on the subject urgently called for, seeing the long hours and the sultry weather during which operatives in this country have to work. We believe that the condition of the mill or factory in which poor people have to work has a marked and decided influence on their character, and in this connection we cannot do better than quote Mr. Bowling, Inspector of Factories, Birmingham, in his report for 1883:—

"Two-thirds of the waking life of a working man are spent in the factory or workshop; and it is not easy to exaggerate the influence, for good or evil, that the conditions under which he exercises his handicraft exert over his private life. I have always remarked that the condition of the factory is reflected in the condition of the work-people. When the one is well-ordered, healthy, and cheerful, the people are the same; when

when the one is neglected by the master, dirty, and ill-arranged, there the people are almost sure to be morally and socially inferior, and carry the influence of the factory into their homes.

"This influence should never be forgotten in dealing with the question of the social improvement of the masses and of the houses in which they dwell. Mere attention to sanitary matters and the regulations of the Factory Act will not suffice; there is a large force for good untouched by these—a force which can do much to soften the harshness of daily toil and bring somewhat of beauty even to the workshop—the force of a far-seeing charity and sympathy among men."

We are glad to see that the Sanitary Commissioner, in his exhaustive and able report, states that the condition of the mills was generally far from being as bad as he had been led to expect, but he nevertheless is of opinion that some better arrangements are required for ventilation, latrine accommodation, &c., in many mills and factories. Mr. Meade King suggested the insertion of the following section in the Act:—

"Every factory shall be kept in a cleanly state and shall be ventilated in such a manner as to render harmless, so far as is practicable, all vapours, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

"Where it appears to an Inspector under this Act that there is a contravention of this section, he may direct a fan or other mechanical means of a proper construction for preventing or carrying off such vapours, dust, or other impurities to be provided within a reasonable time, and, if the same is not provided, maintained, and used, the occupier of the factory shall be liable to a penalty not exceeding *Rs.* 200."

The sanitary provisions of the English Factory Act are contained in its sections 3 and 4:—

"*Section* 3.—A factory and a workshop shall be kept in a cleanly state and free from effluvia arising from any drain, privy, or other nuisance.

"A factory or workshop shall not be so overcrowded while work is carried on therein as to be injurious to the health of the persons employed therein, and shall be ventilated in such a manner as to render harmless, so far as is practicable, all the gases, vapours, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

"A factory or worshop in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act."

"*Section* 4.—Where it appears to an Inspector under this Act that any act, neglect, or default in relation to any drain, water-closet, earth-closet, privy, ashpit, water-supply, nuisance, or other matter in a factory or worshop is punishable or remediable under the law relating to public health but not under this Act, that Inspector shall give notice in writing of such act, neglect, or default to the Sanitary authority to make such inquiry into the subject of the notice, and take such action thereon as to that authority may seem proper for the purpose of enforcing the law.

"An Inspector under this Act may for the purposes of this section take with him into a factory or a workshop a Medical Officer of Health, Inspector of Nuisances, or other officer of the Sanitary authority."

We recommend legislation on these lines in preference to the sections proposed by Mr. Meade King, as they provide for the calling in of a medical or sanitary authority instead of leaving sanitary questions to the sole and arbitrary decision of the Factory Inspector.

We approve of the suggestion that mills should be limewashed at least every 14 months; the Sanitary Commissioner (paragraphs 11 and 38) says not less than every 12 months; and we would add that oil-painting should be done every seven years, as in England. Section 33 of the English Factory Act, with the substitution of "Governor in Council" for "Secretary of State" would probably meet the case. Many of the proposals of the Sanitary Commissioner —as regards, 1st, existing mills, and 2nd, those hereafter to be erected—are worthy of adoption. The preparation of standard plans by a Committee recommended by him meets with our approval, but we consider these matters should be dealt with by rules passed under Section 18, and not embodied in the Act itself. A section similar to 36 in the English Act for ventilation by fan should be enacted however:—

"*Section* 36.—If in a factory or workshop where grinding, glazing, or polishing on a wheel, or any process is carried on by which dust is generated and inhaled by the workers to an injurious extent, it appears to the Inspector that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, the Inspector may direct a fan or other mechanical means of a proper construction for preventing such inhalation

inhalation to be provided within a reasonable time, and if the same is not provided, maintained, and used, the factory or workshop shall be deemed not to be kept in conformity with this Act."

Hours of Work.

Male adults have always been considered to be outside the principle of protection afforded by factory law. They are supposed to be able to take care of themselves; and experience has clearly shown in England that they have done so and managed to diminish their hours of work more effectually than any Act of Parliament could have done, and the result is that in those industries in which men form the majority of hands employed instances of overwork are unknown. Men may be worked overtime, night time, and even on Sundays, so far as the English Factory law is concerned, but, in practice, shortening the hours of the protected classes (children, young persons, and women) has just as effectually compelled the shortening of the hours of work of the men as if the latter had been directly dealt with. No doubt this is partly due to the fact that one work in connection with a trade can rarely be carried on independently of some other in which the assistance of children, young persons, or women is needed. It is also generally recognised that the Factory Acts in England would never have been so successful or so useful as they have been if their operation had been strictly limited in practice to the labour of the weaker protected classes. We do not, therefore, recommend any legislative interference with the labour of adult males.

The protected classes in England, or those whose labour has been regulated by the Factory Acts, are:—

I.—Children between 10 and 14 years.

II.—Young persons between 14 and 18 years.

III.—Women 18 years and upward.

To enforce the law against overwork it was found absolutely necessary not merely to fix a maximum period of labour in the day, but also maximum limits within which such period might be taken. The absence of such a provision rendered the Factory Act of 1848 in England unworkable; consequently the present English Factory Act prescribes that the labour of the above protected classes in textile factories must be taken within 6 a.m. and 6 p.m. or within 7 a.m. and 7 p.m. Within these hours children or half-timers must be worked either in morning and afternoon sets or on alternate days, attending school once a day under the former system, and twice a day under the latter when not employed. Young persons and women must be allowed two hours for meals, and cannot be worked continuously for a spell exceeding four hours and a-half without, at least, half-an-hour for a meal. On Saturday they are prohibited from working more than six hours, and on Sunday their employment is forbidden. No express provision exists in the law prescribing in so many words the number of hours that may be worked in a day or in a week. The limitation is the result of the provision laying down that the labour of protected persons may be taken within certain hours, and within these hours a certain time must be allowed for rest and refreshment. According to the English law, therefore, women and young persons cannot be worked more than 56 hours in the week.

In the Indian Factory Act we are astonished to find that the maximum limits within which regulated labour is to be taken are not prescribed; and we further note that there is no mention of women and young persons whatever. Children only between 7 and 12 years of age are protected, and that most inefficiently. The result of these omissions is that women can be worked as long as men, or from sunrise to sunset—that is 11½ hours a day, or 80½ hours a week, in the cold weather, and 14 hours a day, or 98 hours a week, in the hot weather, and if artificial light is used, they may be worked day and night for days consecutively; and that such excessive labour is exacted in the small ginning and press factories of Khándesh is distinctly proved by the evidence before us.

We must add, however, to the credit of the Cotton Mills in Bombay that, although we found in some cases low-caste women working on machinery as long as men, the almost invariable rule is to treat women with leniency and consideration,

consideration, and to give them light hand work such as reeling and winding, which admits of their coming later and leaving earlier than the men.

It is a curious fact that while in Lancashire of 423,000 employed in the cotton factories, 253,000 are females, 138,000 are males, and the rest children; in the Bombay Presidency, of 49,928 operatives in textile factories, 38,159 are adult males, 10,794 are females, and 975 are children. Mr. Jones, the Inspector, believes that in time employers will avail themselves more of women's labour in India, but on this point we had not sufficient evidence before us to arrive at a definite conclusion. We are strongly of opinion that some restrictions are necessary on the labour of women, more especially when employed on machinery driven by steam. Here continuous attention and assiduity is called for, and the work must be done like clockwork. The monotonous and unremitting character of the labour with the necessity for close application to rapidly moving machinery has been found to tell on the constitutions of women in England, whereas in hand labour where no steam power is employed the pressure is not nearly so great. We cannot overlook the facts, either that in England the death-rate is higher amongst women employed in textile factories on machinery than amongst female operatives otherwise employed, and the higher mortality amongst the children in factory towns is ascribed to the conditions under which their mothers labour. As recommended by Mr. Meade King women and children should not be allowed to work before 6 a.m. or after 6 p.m., and in that period they should have an hour's interval for food and rest—either a full hour in the middle of the day, or two half-hours with a convenient spell of work between them.

It is worth noting why no mention is made of young persons in the present Act. The first Bill introduced into Council contained the following intepretation clauses:—

"'Child' means a child under the age of 12."
"'Young person' means a person between the ages of 12 and 16 years."

And Section 6 ran—

"No child shall be employed more than six and no young person more than eight hours in any factory in any one day."

The Honourable Mr. Colvin, in his speech in the Council assembled for making Laws and Regulations on Friday, 11th March 1881, explained why a change was made before the Bill became law:—"He now came to section 7 of the Bill. It would be seen that the Committee had abolished the distinction which had existed in the Bill as originally introduced between 'children' and 'young persons,'—and that the time for the employment of young children had been extended from six to nine hours. He would briefly explain the reasons for these changes. The Bill in its original shape had allowed young persons to be employed for eight hours and children for only six, the last-mentioned provision being in accordance with the English law. On closer examination, however, there appeared to be good reasons for extending the time of employment of children in this country. In the first place it was beyond question that factory labour in India was not so severe or continuous as at home. Then at home a child who worked in a mill for six hours was obliged by law also to attend school for three hours of the day, and he was therefore employed, in one shape or the other, for nine out of the 24. In this country, supposing that children were not employed for more than six hours, it could hardly be expected in the existing state of education that they would attend any school, because a great many of them would have no school within reach which they could attend, and because if they had, it was extremely improbable that their parents would send them to it. If they were not allowed to remain in the factory they would either be turned out to absolute idleness or to seek for manual labour elsewhere. A further consideration, and one entitled to much weight, was that if the labour of children were limited to six hours great facilities would be given for evading the law. Mills in this country never worked for less than 12 or 14 hours, and it would be impossible to prevent a child who had worked six hours in one factory from going to work six hours in another. He said that it was impossible to prevent this, because any elaborate system of registration and inspection by which a check might be put upon it would lead to worse evils than the evasion of the law itself. These were the grounds on which the hours

hours for the labour of children had been extended; and the majority of the Committee thought that nine hours was not too great an extension, provided that one hour's interval was allowed during that time for food and rest. This extension having been determined on, there was no longer any object in maintaining a distinction between young persons and children."

It seems the threefold consideration that children or half-timers in England worked six hours and attended school three hours daily, that their work in Indian was of a lighter description than in English factories; and, lastly, that their was a probability of their working six hours in one factory and six in another on the same day, unless attendance at a school was exacted, or the term of labour was extended, led to its being finally decided that children were to be worked nine hours. The question thus settled the retention of a distinction between young persons and children became unnecessary.

It must be admitted that under the arrangement children fared but badly. The time of their employment was increased by an hour beyond the maximum contemplated by the Bill for young persons between 12 and 16 years of age, while no counterbalancing advantage was granted in the way of raising the age for first admission to employment, or for postponing that for full employment as an adult.

None of the witnesses before us were in favour of making a third protected class of young persons, while a large majority were in favour of increasing the age for first employment from seven to eight, or even nine, and some advocated the prohibition of employment as an adult before 13. Mr. Meade King strongly recommended that no child should be employed under eight, and that 13 was quite young enough for a child to commence full-time work in an Indian factory.

We observe that the Bombay Mill Owners' Association, in their memorial to the Under Secretary to Government, dated 6th September 1880, on the subject of the Factory Bill, stated that—

"If the age to which the Act is made applicable is reduced to 10 years, much of the injury which the introduction of the measure will do to the cotton manufacture of this Presidency will be avoided. The association would further represent the importance of gradually introducing any such important change in the relations of the working classes, even if it were without doubt necessary to make the limit of age 12 years. Your memorialists suggest that the interest of the factories, and of the children themselves, would be best conserved by beginning at a comparatively low age and afterwards increasing it. By this means the change would be gradual, and the necessary inconvenience to all classes from an abrupt and vital change would be avoided. The association believe that nothing would justify so high a limit as 14 years, but should the age of 12 years be fixed on as the ultimate proper limit, the association suggest that it be placed at 10, leaving it to the future to increase it as necessity is shown. The change, if then made, would be a more gradual one, and less injurious to the interests of this new industry. They further suggest that a clause, as recommended by the chamber, be introduced into the Bill providing that the certifying surgeon should periodically visit each mill and certify, free of charge, in the register to be kept by the mill, that all the children are physically fit for the work."

It thus appears that the necessity for increasing the age was foreseen and calculated upon from the first.

We find that one of the principal objects of the English Factory Acts has been to gradually increase the age for first employment of children. Thus, before 1874 the prescribed age was eight, till the Act of that year raised the age to 10 for textile factories. Before the important Commission, which sat in 1875, and of which his Excellency Sir James Fergusson was President, the evidence and arguments in favour of assimilating the age, and increasing it to 10 in all factories and workships was stated to have been "overwhelming," and the result was that in the Factory Act of 1878 the statutory limit fixed for all trades was 10, at which it now stands.

Seeing the higher temperature in the mills of this country, the weaker physical development of natives of India, the small practical value of the labour of a child, and the recommendation made by the medical committee appointed by Government Resolution No. 3183, dated 3rd September 1884, that the ages should be increased to 10, we consider that no child should be employed before nine, and that adult labour should not be exacted until 14 instead of at 12 as now. We recommend nine in preference to 10 suggested by the medical committee, as we think that changes in this direction should be gradual, so as to

 avoid

avoid the possible hardships entailed by throwing a number of children out of employment.

Between five and 15 is the school age; and if in this decade nothing is learnt in reading, writing, and arithmetic, the chances are strongly against anything being learnt subsequently. We would be glad to see, therefore, an earlier admission to first employment, say at eight, and an earlier transition to adult employment, say at 13, permitted on condition that a child produced a certificate from an educational officer that it had passed a suitable and easy standard or put in a certain number of attendances at school. A similar system has been attended with success in England; and we would strongly urge in the interests of the employers and the employed, as well as in those of trade at large, that some scheme be drawn up through the Education Department with a view to educating Indian child-operatives in the way above indicated.

If the age of children be raised in the manner suggested by us, we do not see our way to recommending the creation of the third class of protected labourers, *i.e.*, young persons under 16 years of age, suggested by Mr. Meade King. Sufficient difficulties are now experienced in determining the age of children without adding further complications. Birth registers and certificates are not to be had as guides in India, and the dental development cannot be relied on with certainty.

Until school accommodation is supplied and general arrangements can be made for educating working children, and obliging them to attend a school for a portion of the working day, or on alternate days, we concur with Mr. Meade King in thinking that the only way to enforce the statutory limitation of nine hours for child's labour not being exceeded is to fix a period of employment for such. It is quite evident that on visiting a mill, say at 6 o'clock in the evening, it would be impossible for an inspector to say with certainty whether a child, then working, had been employed only the prescribed nine hours in the 12 or 13 hours that the mill had been running. If the law has hitherto been obeyed, such is ascribable more to willingness on the part of the owners and managers than to the effect of supervision. We may, however, conscientiously say that we fear many children are worked full-time. We recommend, therefore, that children's labour should be taken within the hours of 7 a.m. and 5 p.m., with an hour's interval for meals and rest, to be taken when the women have their relaxation.

Days of Rest.—Sundays.

There is no point on which opinions have been more nearly unanimous than in regard to the necessity for one day's rest a week, or four days in the month. The Factory Commission which sat in 1875 made a strong recommendation on the subject, and a large majority of the witnesses then examined urged the matter. Section 8 of the present Act allows children not less than four days' holidays in the month, but they form such a very small propostion of the hands employed that adults have not been affected by, nor have they derived any indirect benefit from, the law. We now advocate the extension of the law to women (the medical committee would, we observe, still further extend it to men). The four days should be made statutory by Government notification under the Act, and they should be Sundays whenever possible, banks, offices, and docks being closed on that day. Most of the witnesses gave it as their opinion that Sunday would be the most convenient day, and we believe that it is the one invariably selected by the mill-owners under Section 8 for the children's holiday. We learn, also, that on the Bengal side mills and other factories close on Sundays, and in Bombay the large G. I. P. and B. B. and C. I. Railway workshops, employing between 6,000 and 7,000 hands, certainly do so. On the occurrence of important native holidays, like the Diwáli or Holi, in the month, preference should be given to them for rest, work being done on the following or preceding Sunday.

On an average only 15 holidays are given throughout the year in Indian factories, while in England besides 10 holidays there are 52 Sundays and 52 half-Saturdays, making a total of 88 days altogether. The difference is striking. A feeling in favour of the proposed four days' rest was manifested by all the workpeople, and in the memorial signed by 5,500 operatives, and presented

sented to the Committee, this concession to all hands, male and female, is prayed for.

We recommend that Government should determine on and notify the days after consulting the Mill Owners' Association, to avoid all chances of inconveniencing trade.

Certificate of Age and Fitness.

We approve of Mr. Meade King's suggestion, that all children should be examined by certifying surgeons previous to employment in factories, and that they should be certified as to their physical fitness as well as their age, also that certifying surgeons' certificates on these points should be made compulsory, and not left dependent on the possible order of an Inspector, or the request of any person employed or about to be employed. Some children, from weakly constitutions and inferior nourishment, may be incapacitated from working in a mill where the process of manufacture causes a high artificial temperature and dust and gases injurious to health. The fee for the certificate should be low and be paid by the child, or rather parent, and become their property. No further certificate should be necessary during the child's subsequent career.

Obstruction.

Mr. Meade King wished some provision in the Act similar to that contained in Section 68 of the English Factory Act of 1878, for the prevention or punishment of obstruction to the Inspector.

The clause in the English Act runs :—

"Where an Inspector is obstructed in the execution of his duties under this Act, the person obstructing him shall be liable to a fine not exceeding five pounds; and when an Inspector is so obstructed in a factory or workshop, the occupier of that factory or workshop shall be liable to a fine not exceeding five, or where the offence is committed at nights, twenty, pounds, and where the Inspector is so obstructed in a factory or workshop within the meaning of Section 16* of this Act, the occupier shall be liable to a fine not exceeding one, or when the offence is committed at night, five pounds."

* Domestic workship.

Those witnesses who appeared before the Commission were unanimously in favour of obstruction being made punishable; and we fully concur in thinking so, although we anticipate that the occasion for the enforcement of such a provision will rarely, if ever, occur. The reference to domestic workshops will, of course, have to be omitted, as it can hardly be contemplated restricting by legislation as in England labour in domestic workshops. To such a course we are certainly opposed.

Registers.

All the witnesses examined on the point, express themselves in favour of amending of the law by making occupiers produce registers as well as keep them. The addition is a very minor one, and has our approval.

Wages.

We cannot see our way towards recommending any interference by legislation on the subject of wages. The result of legislation in this direction has hitherto not proved encouraging, and we fear it might prove futile, if not even mischievous, in the present instance. It will be seen, however, that the workpeople in their memorial presented to the Committee lay stress on "the payment of wages being made not later than the 15th of the month following that for which they have been earned."

Publicity to be given to the Law and Rules under it.

We have another recommendation to make, to which we attach much importance, as we think it will materially assist the Inspector in the enforcement of the law: and it must be acknowledged that without the concurrent assistance of the operatives his task would be a next to impossible one. The outlines

of the factory law, and the rules issued under it, should be clearly and succinctly drawn up in the vernacular (Gujaráti and Maráthi) and in English, and posted in conspicuous places, such as police and post offices. The place and time, where and when, the Inspector can take complaints of overwork or other abuses should be made widely known, and every factory should have posted up in a conspicuous place, within it the hours for commencing and leaving off work, and the hours and days of rest for the protected classes.

Exemptions and Relaxation of Law.

Our inquiry has been necessarily limited, it being impossible in the time at our disposal to go deeply into all the details and circumstances of different industries. These circumstances are so various and complex that we are of opinion that possibly in some instances relaxation of the law will be required. We consider, therefore, that Government should reserve its right by law to extend relaxations on good and sufficient reasons being shown. These relaxations should however, we are strongly of opinion, be sparingly granted, and if granted to one establishment, should be conceded to all those of the same trade. We have added a draft section (18 A) which meets our views on this subject.

Commission of Medical Men.

The Committee appointed under Government Resolution No. 3183, dated 3rd September 1884, to inquire into the health and physical condition of mill-operatives, as compared with that of other labourers in the City of Bombay, are very much of the nature Mr. Meade King recommended for nomination, and they have submitted a most valuable report, which we append.

The result of their inquiries tends to show that there has been no material special deterioration in the health or the condition of the mill-operatives. It must be remembered, however, that the industry is not one of very long standing in this country; and we note that the Medical Committee lay stress on the necessity for limiting working hours, for raising the limits of the age of children, as also for four days' rest a month for both sexes and fixed hours of rest in the day.

We cordially approve of the Committee's suggestions regarding the providing of openings for ventilation out of the control of the operatives and of mechanical arrangements for the removal of dust evolved in grinding.

Minor Factories, &c.

We now proceed to give shortly the change that we propose in the present Act, our most important recommendation necessarily being with reference to Clause 6 of Section 2, which if repealed will have the effect of bringing all factories employing less than 100 hands under supervision.

AMENDMENTS AND ALTERATIONS PROPOSED IN THE ACT.

Section 2.—The words :—

"for not less than four months in the whole in any one year"

we consider should be deleted, and should cease to form a part of the legal definition of a factory. We were much struck by the evidence given before us regarding overwork in the Khándesh (Páchora) Ginning and Press Works. These establishments generally employ less than 100 hands, of whom, more especially in the ginning works, the majority are women and some are children. They work, intermittingly or spasmodically, according to fluctuations in the market and on emergent orders for cotton from Bombay. Their usual working hours are from 4 or 5 a.m. to 7, 8, or 9 p.m., but when working at high pressure they work sometimes day and night for eight days consecutively until the hands are tired out and lose their health.

Mr.

Mr. Rastamji Frámji Wádia gives a very painful description of these industries :—

"In ordinary seasons, that is when work is not very pressing, the engine starts between 4 and 5 a.m. and stops at 7, 8, or 9 p.m. without any stoppage during the day. The hands work continuously all these hours, and are relieved by one another for meals. In busy seasons, that is in March and April, the gins and presses sometimes work both night and day, and the same set of hands work both night and day, with half an hour's rest in the evening. The same set continue working day and night for about eight days. When the hands have been working day and night for eight days, and it is impossible to go on longer, other sets of hands are procured from Bombay if they can be found. In this case the work is distributed between the old and new sets of workers, half working all night and half working all day. More women are employed in gins than in presses. Both the men and the women come to the factories at 3 a.m., as they have no idea of the time, and they wish to make sure that they are at the factory by the time it opens, *i.e.*, 4 a.m. I have 40 gins in one of my factories at Páchora, and I have only 40 women attending these 40 gins. I have only eight spare women. I never allow these women off the gins. I am not alone in this respect; it is the general system. There is no change of hands except at meal times. The hands that work from 4 a.m. till 10 p.m. are paid from three to four annas per day. All the factories pay at this rate; sometimes we pay our hands 6 pie as a bonus. There is no other work in the district in which these poor women can get employment. These women come from Sátára and Khándesh, and are of the Marátha class. We work these long hours from the 15th November till the 31st of May, but only about 10 days in each month. Sometimes we work day and night for two months, but in this case we employ two sets of labourers. We employ no children. When the wages are so low for the adults there is no advantage in employing children. I certainly would recommend that legislation should be extended to these factories. I am personally largely interested in this matter, being a proprietor, secretary, and treasurer. I should like to have these ginning factories worked only 12 hours a day, as we could then charge Rs. 8 instead of Rs. 4, and of course, we could pay our labourers better wages, but if the Government forced us to pay our labourers more wages without restricting our hours we would be obliged to charge the merchants higher rates. When we see that the hands are absolutely tired out we are obliged to get others from Bombay. The hands who work these long hours do frequently die. Women are employed on this business.

"I do not consider that sufficient provision has been made in case of fire for the escape of the labourers. All these factories should be required to provide two gates and two staircases at a good distance from one another. This is not the case at present.

"I would recommend the extension of the Act to these smaller factories. I do not know all the provisions of the Act, so cannot speak of them all, but I can say positively that the Act should be applied so far as the guarding and fencing of the machinery, sanitation, and the limitation of the hours of work for women are concerned."

He is corroborated in every detail by the witnesses Mr. Drewet, Mr. Hormasji Kersedji, and Tánu Bápu, from whose evidence we give extracts below, so we fear there is only too good reason for believing that this description is not over-coloured.

Some industries, such as wool and cotton cleaning, are carried on in small factories in Bombay in this intermittent manner when there is a supply of material available sufficient to keep the machinery going. Their operations are conducted under the most adverse sanitary conditions, ventilation being wholly absent, while the air is loaded with animal matter in one case and with fluff in the other contaminating flour ground in the same room. The extension of the law to these manufactures we consider peremptorily required on grounds of health as also for the protection of the operatives from injury caused by unfenced machinery. We observe also that the Sanitary Commissioner in paragraph 27 of his report, writes in strong terms of some of the processes highly injurious to health which he saw carried on in cotton presses in Bombay.

Clause (*b*) of Section 2 of the Act, exempting factories of less than 100 hands, should be repealed. There seems scarcely any need to occupy much space in recapitulating the opinions on this point. One witness after another have added their testimony and have confirmed the original reports of Mr. Meade King (dated 7th July 1882) and of Mr. Jones (No. 135, dated 7th March 1884) on the subject.

After concluding the evidence on the large factories we took that regarding the minor ones to which the Act does not apply, and it will be found recorded in the proceedings of the 20th, 21st, 22nd, 23rd, 24th, and 25th meetings of our Commission. The names of the 14 witnesses examined will be found above. Twelve of these witnesses, amongst whom are some proprietors, gave it

it as their opinion that the Act should be extended to minor factories. The remaining two dissent, but it is worth noting that these two gentlemen, Messrs. Jamsedji Hormasji and Nauroji Nassarwánji Bhedwar, are intimately connected with corn-grinding and wool-cleaning factories, the one as manager and the other as partner. These establishments have been described in the severest terms, and are represented as most requiring legislation owing to the process of wool cleaning contaminating flour being ground in the same room. The Perseverance Flour grinding and Wool-cleaning Factory, or Framji Byramji Flour Mill, of which Mr. Jamsedji Hormasji is the manager, was twice visited by the Committee, several times by the inspector, Mr. Jones, by the Sanitary Commissioner (*vide* paragraph 22 of his report), and by Dr. Lyon, and all condemned in strong terms its sanitary condition. Much weight, we consider, cannot, therefore, be attached to the opinions of these two dissentients.

We personally visited several of these small establishments, and their unsanitary condition, their unfenced machinery, and their pressure from overwork, satisfied us that early steps were necessary for bringing them under supervision. The notes of our inspections will be found recorded in our proceedings. We also request reference to paragraphs 22, 23, 25, 26, and 41 of the report submitted by the Sanitary Commissioner and to paragraph 17 of that of the Medical Committee.

It was with respect, however, to the ginning and pressing establishments in Khándesh that the evidence struck us most. We have given an extract from it above, but to form an adequate idea of the state of things described, it is necessary to read the statements of

Mr. Rastamji Frámji Wàdia,
Mr. Thomas Drewet,
Mr. Soorji Hemráj,
Mr. Hormasji Kharsedji,
Mr. Tánu Bápu.

Mr. Rastamji Frámji Wádia deposes to the want of ventilation, cleanliness, and sanitation generally. He knew of one ginning factory of 40 gins with no windows and only four doors, the walls of which he had to knock down to improve the ventilation. Machinery was generally unfenced. He had three men killed by an opener, and knew of a factory burnt down by one of these machines. The same set of hands, men and women, worked continuously day and night for eight consecutive days. Those who went away for the night returned at three in the morning to make sure of being in time when the doors opened at 4 a.m., and for the 18 hours' work, from 4 a.m. to 10 p.m., three or four annas was the wage. When the hands are absolutely tired out new hands are entertained. Those working these excessive hours frequently died.

Mr. Drewet's deposition is nearly as strong:—The (ginning) season lasts about eight months, about five of which the hands work from 5 a.m. to 10 p.m., and the remaining three months they work day and night. The hands are mostly women. Gins and presses never stop for meals; as a rule the hands take their meals at the gins, and he has often seen them taking their food and supplying the gins at the same time. He has often seen them thus supplying the gins mechanically three parts asleep, and a child at the breast sucking one minute and throwing cotton into the machine the next. They go on working day and night until they are completely worn out. He has frequently heard of their going away sick, but has never heard of their death. He has himself worked day and night without sleep, but has never been ill through doing so. He has had Gaddum's Press working day and night for three months, and has worked himself on an average 18 hours a day during this period. The year before last he worked day and night in the ginning factory he was superintending. He thinks it will be found that the women had worked day and night for as long as a week at a stretch. He does not think there is a double set of children anywhere, so they must have worked day and night. The women would have worked 23 out of 24 hours; speaking of 23 hours he means that the woman was relieved by her friends or relations. If a woman was absent for two or three hours no notice would be taken of it. The women are looked on as part of the gins, and they belong to the establishment, and two or three hours

hours is the longest time they can be absent out of 23 without any notice being taken of it. The women really work more than the men; the men shirk their work, and the women do not. In the ginning factories the women earn three annas and the men four annas per day. If they work all night they are paid annas six and eight respectively for the 24 hours' work. The dust in these factories is caused by the opener, which is usually kept outside. These openers are for tearing the cotton open. They strike fire sometimes and burn down the premises. This, however, is rare. They strike fire frequently, but have only caused two factories to be burnt down to his knowledge. Stones, sometimes the size of an egg, get in the opener and are thrown out with great force and strike a man like a bullet. He thinks nearly all the presses have openers. The women are treated more like animals than human beings; by their husbands more particularly.

Soorji Hemráj states:—In the ordinary months of the season the bell is sounded at four o'clock, and the men begin to assemble. The work begins at five o'clock. In the busy months of the year his factory has worked till 11 p.m. He has seen all night work done in other places on a few occasions. He has known cases where hands have worked three or four days continuously on an end, and women were amongst these hands. Many of the hands in his factory have become ill from overwork.

Hormasji Karsedji states:—Sometimes in his press they worked two days and two nights without stopping. When they worked 48 hours at a stretch they stopped for half an hour in the evening. The women worked 48 hours, the same as the men. They have worked eight days and eight nights without stopping, and he himself has been ill through working these excessive hours. After working eight days without stopping, they are compelled to get another set of hands from Bombay and work with two sets. The machinery in his factory was unfenced, the engine being in a separate room. He had an opener and had had accidents; a stone had been thrown out and injured a man. He had seen a man killed in this manner in another press. He had fires caused by the opener, at least one or two in a season.

Tánu Bápu, overseer, tells much the same story:—When there is not much work they commence at 6 a.m. and stop at 7, 8, or 9 p.m. When there is much work they work from 4 a.m. till 10, 10.30 or 11 p.m. The men and women sometimes work for 10 or 12 days and nights at a stretch without rest.

Mr. Ommanney, an assistant collector, addressing the Commission on the 13th November 1884, concerning these factories, stigmatised them as being about as cruel a way of making money as any thing he could think of.

The above evidence requires little or no comment. It is a sad tale of great want on one side and cruel cupidity on the other, calling louder than anything brought before us for legal interference. We feel, however, that, even with respect to legal regulation here, we must be moderate in our recommendations, as the result of legislative interference may be to deprive these wretched women of their employment and to their place being supplied by men, or to lower the small pittance they receive to such a point as would counterbalance the disadvantages attaching to their employment by the Legislature. These ginning and pressing factories are not numerous, but, being scattered over the mofussil and in remote parts of the country, are perhaps of more importance to the districts in which they are situated than the larger factories round a centre of industry like Bombay, the poorer classes in their neighbourhood being almost dependent on them for existence. Too much interference with them might drive the labouring classes to parts like Bombay, already overcrowded; while in time of scarcity or famine they might usefully supplement the efforts of Government to support those in want. There is no doubt that they are entitled to some consideration also owing to the greater healthiness of the conditions of labour in the country; consequently we recommend that women and children be allowed employment for 16 hours with two hours' rest in temporary factories, such as ginning presses up-country, working for shorter periods than six months in the year.

If the clause to which we refer is repealed, the question arises as to where the line is to be drawn and where inspection should cease. In England even domestic employment in dwelling-houses, if any member of the protected classes (child, young person, or woman) is employed in handicraft, is by existing law under regulation and inspection. We, of course, would not go this length in our

recommendations, but we are strongly of opinion that all factories, no matter what the number of hands employed, in which steam, water, or other mechanical power is used, should be under regulation, and that other places or workshops where manual labour is exercised should be brought under the law if 10 members of the protected classes are employed therein. We may add that we draw the line at 10 owing to the impossibility, without more Inspectors being appointed, of enforcing the law in workshops employing less hands.

Section 2.—"Child means a person under the age of 12." We would substitute "14" for "12," with a proviso that when a child of 13 had obtained from a person authorised by the Education Department a certificate of having attained such standard of proficiency in reading, writing, and arithmetic, or such standard of previous due attendance at a certified efficient school, that child should be deemed to be an adult for the purposes of the Act. "Employed;" we approve of Mr. Meade King's recommendation that "person" be substituted for "child," as also of the addition he suggests that if a person above the age of eight (here nine should be substituted) years is found in any room or part of a factory in which any manufacturing process is carried on, except while all the machinery of the factory is stopped, such person shall until the contrary is proved be deemed for the purposes of the Act to have been there employed in the factory.

Section 3.—The insertion of the words recommended by Mr. Meade King, "and Assistant Inspectors of Factories" seems to us necessary, as Government may find it expedient to make an addition to the inspecting staff. There can be no doubt that the duties of the Inspector of Factories will be largely increased if the smaller factories are placed under his supervision.

Section 4, *clause c.*—The necessity for the repeal of this clause recommended by Mr. Meade King is not very obvious to us, as we believe no Inspector would abuse the power given to him in the manner indicated by the above-mentioned gentleman.

Section 5.—The necessity for deleting the words "desirous of being employed" and substituting the word "employer" for "parent or guardian" is not quite apparent. We have recommended above that the child or its parents should be liable for the Civil Surgeon's fee and not the employer.

The word "nine" should be substituted for "seven" and "thirteen or fourteen," as the case may be, for "twelve."

The addition "Provided that he is not, in the opinion of the said certifying surgeon, incapacitated by disease or bodily infirmity for working daily for the time allowed by law in a factory, is, we consider, requisite.

Section 6.—The word "nine" to be substituted for "seven."

Section 7.—As we have materially raised the age of children their employment should remain at nine hours.

The word "actually" might be struck out.

Clauses 2 and 3 should be repealed and the following added—

"No child under the age of 14 years shall be employed for more than seven days in a factory unless he has obtained a certificate of age and fitness for employment from a certifying surgeon in the form prescribed by the Local Government."

The two additions to clause 4 recommended by Mr. Meade King have our concurrence, as also the repeal of clause 5.

Section 8.—Should be repealed and the following substituted:—

"No female and no child shall be employed in any factory on four days in each month. Such four days to be notified by the Local Government in the *Government Gazette.*"

"*Section* 8*A*.—No child shall be employed on any day before 7 a.m. or after 5 p.m.

"No female shall be employed on any day before 6 a.m. nor after 6 p.m.

"No child or female shall be employed on any day without an interval or intervals amounting in the whole to at least one hour being allowed them for food and rest.

"The times at which such intervals shall be allowed, and the length of such intervals shall be fixed by the Local Government for each factory after ascertaining, as far as possible, the existing practice in such factory and the wishes of the occupier thereof."

Section 9.—

Section 9.—The addition—

"The parent or guardian of every person having any direct benefit from the wages of any child employed in a manner forbidden by this or the foregoing section shall be liable to a penalty not exceeding fifty rupees."

We find that all the witnesses examined, with the exception of two, were in favour of some provision similar to this.

Section 11.—At the end of this section should be added—

"and the occupier shall produce such registers whenever required to do so by an Inspector of Factories."

In this addition all the witnesses concurred.

Sections 3, 4, and 33 of the English Factory Act on the subject of sanitation, or, Mr. Meade King's proposed section should be inserted here.

Section 15.—In clause (*a*) the words "or any female" should be inserted after "child."

In clause (*b*) the words "or to fix the days referred to in section eight" should be struck out.

In clause (*d*) the words "or produce the" to be substituted for "a."

Section 16.—The words "nine" and "fourteen" to be substituted for "seven" and "twelve" respectively.

Section 18A.—Where it appears to the Governor in Council that in any class of factories or parts thereof it is necessary by special circumstances affecting such class to exempt such factories or parts thereof from the operation of this Act or any section thereof, he may by order made under this Act exempt such class of factories or parts thereof to the extent and during the period named by him.

We beg to tender our best thanks to all mill-owners and managers for the willingness they evinced in assisting us during our inquiry by sending their subordinates to give evidence and by supplying all such information as we required with readiness and promptitude. We attach the following Appendices to our report:—

I.—Proceedings of our Committee.

II.—Report of the Sanitary Commissioner on the sanitary state of mills, &c.

III.—Report of the Medical Committee.

IV.—Memorial from 5,500 mill-hands.

In conclusion we would earnestly and respectfully recommend that the Government of Bombay urge upon the Government of India the necessity for expediting such changes in the existing Factory Act as will do away with the long hours of work and other defects which have been described by numerous witnesses to be in existence in Khándesh and other places in the Presidency.

Two of our members—Sorabjee Shapoorjee Bengallee and Dr. Blaney—who sign this report are of opinion that the weekly day of rest which we propose to legalise for women and children should be extended similarly to adult males. Their observations on the subject are given in a separate Note appended hereto.

We have, &c.

(signed) *W. B. Mulock*, President.
G. Cotton,
Nanabhoy B. Jeejeebhoy,
Thomas Blaney,
Sorabjee S. Bengallee,
Muncherjee C. Murzban,
Muncherjee Nowrojee Banajee.

6 January 1885.

NOTE by Mr. *Sorabjee S. Bengallee*, C.I.E., and Dr. *Thomas Blaney*.

In the evidence recorded by the Factory Commission, if there is unanimity, or nearly so, on any one point, it is with regard to the desire to allow one day of rest in every seven to all mill hands, male and female; a concession hitherto denied to them by their employers. The mill operatives, in their memorial, above referred to, also pray for this reasonable and much-needed boon.

Our colleagues appear to be of opinion that they are bound to follow the principle of the English Factory Act, and cannot recommend legislation on behalf of adult males. They have therefore confined themselves to providing a weekly day of rest for women and children only. We are unable to agree with them in this view of the subject.

Adult males employed in textile factories in Great Britain do obtain their Sunday rest without legal enforcement, and if male mill hands in India were similary situated, legislation on their behalf would be unnecessary. It remains to be seen whether or not in the event of millowners in England refusing, as is the case in India, to allow their adult male employés a Sunday holiday, the British Parliament would delay immediate steps to enact a law to remedy the evil. British legislation in the cause of humanity and morals has not permitted *laissez-faire* to have its own way in all cases, notwithstanding the opposition of economical influences. Mr. Plimsoll's Act, passed not long ago, in the interests of British merchants' seamen, is an instance in point; and we do not see why in a similar way the patient mill operative of this country should not be protected in a very important matter affecting his well-being.

Those who are unacquainted with the working details of textile factories in Bombay, but are intimate with the same industry in England, are liable to entertain the opinion that by prohibiting the employment of women and children on Sundays, factories could not work, and therefore adult males would be thereby unavoidably benefited. But to think so would be a mistake. In England, in cotton factories, 74 per cent. of the mill operatives consist of women, young persons, and children, and 26 per cent., or thereabout, are adult males above the age of 18. On the other hand, in the cotton factories of India, the male operatives, called "adult males" according to law when over 12 years of age, form 75 per cent. of the total number employed, the women and children being only 25 per cent. The evidence recorded shows, moreover, that nearly all the women operatives here work as "reelers" and "winders," in a department of the industry which can easily be kept separate from the main factory.

It will, therefore, frustrate the humane intentions of Government, and be a great disappointment to all well-wishers of the mill operatives of India, if provisions are not specially introduced into the future Indian Factory Act, whereby male adults shall be entitled to a weekly day of rest along with women and children.

We, therefore, respectfully submit that the alteration proposed by the Commissioners in Section 8 of the present Act should be extended to adult males, and that all mill operatives, male or female, shall alike be entitled to one day of rest in every seven days, in addition to their native holidays, which are about 15 per annum.

We have signed the above report subject to the above mentioned important recommendation. We do not mean it to be understood thereby that the document contains every suggestion necessary for the protection and welfare of our mill labourers. These matters may be taken up at a future time, but for the present we may well be contented with a moderate measure of progress.

(signed) *Sorabjee S. Bengallee.*
Thomas Blaney.

Bombay, 7 January 1885.

General Department, Bombay Castle,
4 February 1885.

Letter from the President of the Factory Committee, dated 10th January 1885—Forwarding the proceedings and report of the Committee appointed under Government Resolution No. 1766, dated 23rd May 1884, to inquire into the question of amending the Factory Act XV. of 1881; and stating that the Committee were unanimously and strongly of

of opinion that immediate legislation was called for as the present Act is inadequate and inefficient affording practically no protection to those classes whose labour should be regulated.

RESOLUTION. The main proposals of the Factory Commission may be summarised as follows:

(1.) Provisions corresponding with those contained in the English Factory Act should be embodied in the Indian Factory Act to ensure that factories are maintained in a satisfactory sanitary condition. The amendment of the law should include provisions requiring factories to be whitewashed every 14 months and painted every seven years, and ensuring adequate ventilation by means of fans. Standard plans for the construction of mills should be prepared by a committee, and any new mills hereafter erected should be built in accordance with such plans.

(2.) No child of less than nine years of age (the present minimum limit being seven years) should be employed in a factory, and no child should be employed for more than nine hours in the 24, the working hours being from 7 a.m., till 5 p.m., one hour being allowed for meals and rest. But any child who could produce a certificate that he or she had passed a suitable and easy educational standard or put in a certain number of attendances at school might be employed if of not lower age than eight years.

(3.) No mill hand should be regarded as an adult, and the labour of an adult exacted from him or her until he or she had attained the age of 14. In other words mill employés should be considered to be children until they had attained the age of 14 years instead of 12 year as under the existing law. An exception to this rule should be permitted in the case of persons who had satisfied a certain educational test: such persons should be treated as adults and allowed to perform the work of adults on reaching the age of 13 years.

(4.) No woman should be employed in a factory for more than 11 hours in the 24, and women's working hours should be from 6 a.m. till 6 p.m., with an hour's interval for rest and meals.

(5.) Women as well as children employed in factories should be granted four days' holidays in each month, the days being fixed and notified by Government after consulting the Millowners' Association. The days of rest should ordinarily be Sundays, but when expedient native holidays should be substituted for Sundays. The grant of holidays to male adult employés should not be compulsory by law.

(6.) No child should be employed in a factory unless certified by a certifying surgeon to be of the prescribed age and physically fit. The fee for such certificate should be low and should be paid by the child or the child's parent or guardian. One certificate only should be needed, and it should become the property of the child or its parent or guardian.

(7.) The obstruction of an Inspector in the performance of his duties should be rendered punishable by law. Cases of such obstruction are not likely to be of frequent occurrence, but it is desirable that if they do happen provision for their punishment should exist.

(8.) Occupiers of factories should be bound by law to produce as well as to keep registers of the children employed in their factories and of the nature of the work on which such children are engaged.

(9.) Summaries of the Factory Act, and the rules published under it should be prepared and copies of them in English and the vernacular languages should be posted up in police and post offices and other conspicuous places. Notification should also be made of the time and place where the Inspector is accessible to receive complaints, and each factory should have a notice posted up in it in a conspicuous place showing the time at which women and children were required respectively

tively to commence and cease work, and the hours of rest and the holidays allowed.

(10.) Power should be taken to Government in an amended Act to sanction the exemption for special reasons of any factory from the operation of the Act or any portion of it.

(11.) All factories in which not less than 10 women or children are employed, in which steam, water, or other mechanical power is used, or where manual labour is exercised, should be brought under the operation of the Factory Act, irrespective of the total number of hands employed, or the number of days in the year during which the factory is worked.

2. Some other amendments of the law of minor importance and not calling for detailed notice are suggested.

3. The Governor in Council concurs with the Commission in their refusal to recommend any interference by legislation on the subject of wages. It is obviously impossible to prescribe by law either the scale of wages to be paid or the time within which wages earned should be disbursed. These are matters which must be left for settlement by the operatives with their employers, and any interference on the part of Government would be alike impracticable and undesirable.

4. The proposals coming under head 1 appear to the Governor in Council to be expedient. The maintenance in a cleanly and proper sanitary condition of mills and attached buildings is obviously requisite for the protection of the health of the workpeople employed in them, and at present under the municipal law the plans of projected new mills are submitted for the approval in certain respects of the Municipal Commissioner. The preparation of standard plans by a committee of experts as suggested by the Commission will lessen the labour of the private engineers employed to draw up plans for new factories, and will assure the construction of such buildings on approved sanitary principles.

5. It seems to the Governor in Council very desirable that the minimum age at which children should be employed should be raised from seven to nine years, and that children should not be actually worked for more than nine hours in the 24, but he is unable to perceive the advisability of the adoption of the suggestion that a child who has fulfilled a certain educational test should be allowed to commence work a year earlier than if he had received no education and had not attended a school for a certain period. The objection in India to the employment in factories of very young children is based mainly on physical and not on educational grounds, and is that constant and protracted work in warm and often imperfectly ventilated buildings must exercise a prejudicial effect on immature children by overtaxing their strength, stunting their growth, and checking the development of their physical powers. It would seem to follow that work in a mill must be as injurious to a child of eight years who can read and write as to one of the same age who has received no education. Attendance at school may educate the mind but it does not necessarily educate the body. Physical development does not necessarily progress *pari passu* with intellectual development, and the Governor in Council fails to see how any distinction as advocated by the Commission can properly or reasonably be drawn between children who have been to school and learned to read and write and children who have not. What is bad from a physical point of view for the uneducated must be equally bad for the comparatively educated child.

6. The proposal to raise to 14 the age when an employé should, except in certain cases, cease to be considered a child and should be treated as an adult for the purposes of the Act seems to the Governor in Council to be right and reasonable. The supplementary suggestion made by the Commission that persons who possess a certain amount of literary knowledge should be treated as adults when they reach the age of 13, whilst those who do not satisfy this requirement should not be regarded as adults until they are 14 years old is based on the provisions of section 26 of 41 Victoria, cap. 16. It has been offered spontaneously

spontaneously by the Commission after full deliberation, and merits favourable consideration.

7. The proposals concerning women's labour (4) appear judicious. If protection for them is needed, and the Commission is of opinion that it is, no better method of furnishing it could be devised.

8. The majority of the Commission are of opinion that holidays should be made compulsory for women and children only, considering that no legislation on this point is necessary in the case of men who can take effectual measures to protect their own interests. From this view however two members, Dr. Blaney and Mr. Bengali dissent, holding that it is desirable that male adults who constitute over 75 per cent. of the total number of persons employed in Indian mills should as well as women and children have the benefit of a provision directing that a certain number of holidays should be given monthly. This representation of the minorty of the Commission is supported by the Millhands' Association, whose chairman and members urge that the order concerning holidays should be applicable to all operatives alike. Although the provision of days of rest for men as well as women would be beneficial, the Governor in Council hesitates to support a proposal which would be an anomaly in British legislation and be difficult of general application. He must therefore confine his support of the proposal to the cases of women and children; but it may be hoped that the results will be similar to those in the United Kingdom although the proportion of women employed in India is less. An examination of the evidence recorded shows that in the larger factories which now are included within the operation of the Act no undue restriction is even at present placed on the enjoyment of holidays by the mill hands. Not only are they allowed certain native and other holidays, the number granted in the year varying in different mills but being on an average somewhat higher than the number (15) mentioned by the Committee, but apparently they can at least in the better class of mills obtain leave to absent themselves for a day or two when occasion requires.

9. The proposals 6, 7, 8, 9, and 10 appear altogether free from objection, and to be, with the exception perhaps of No. 7, necessitated by circumstances. The power proposed to be conferred on Government under No. 10 would enable orders to be passed to meet such cases as that referred to on page 12, where to avoid inconveniences of divers kinds the Commission recommends that in the smaller factories, such as ginning presses, in the Mofussil which only work for a few months during the year women and children should be permitted to work for 16 hours, with two hours' rest in the 24, and where probably owing to the pressure of urgent work which must be accomplished within a comparatively limited period the compulsory grant of four days' holidays in the month would seriously interfere with the trade.

10. The facts stated and evidence collected by the Commission furnish as it seems to the Governor in Council conclusive proof of the expediency of adopting their proposals in the case of the smaller factories, which at present by reason of the circumstance that the people employed in each number less than 100 or that they do not work for four months in the year are exempt from the operation of the Act. The Governor in Council is disposed to go even further in this direction than the Commission suggests and to render the Act applicable to all factories or places of the nature described on pages 15 and 16 (with the exception of workshops in which only manual labour is employed), where either 10 women and children are employed, or where 20 persons in all are employed, whether partly women and children or all male adults. The latter class stands as much in need as the former of efficient protection from preventible accidents and injury to health from work carried on for protracted periods under most dangerous conditions. Indeed, legislation would seem to be more imperatively wanted in the case of small factories, such as those mentioned in the report, owned by petty capitalists, and worked so as to secure a profit, without any consideration for the life and health of the miserably paid employés, than it is in the instance of the larger mills. The necessity for the extension of the law to workshops in which only manual labour is exercised does not appear to the Governor in Council to be established. Such workshops are believed to be comparatively few in number, and the persons employed in them are ordinarily

narily adult males in India, whilst in England, on the contrary, they are generally women.

11. In view of the Committee's report and of the evidence of all the witnesses examined, separate and special legislation for this Presidency only is inadvisable, and would be strongly opposed. The balance of opinion of the witnesses examined is in favour of some further legislation: the Commission advocates legislation on the lines it suggests; but recommends that such further legislation should be for all British India and should not be limited in its scope to the Bombay Presidency only. In this view the Governor in Council must concur, although very desirous that an improvement of the existing law should not be delayed.

12. The Governor in Council considers that the report of this Commission ought to carry great weight in favour of a general amendment of the law, Bombay occupies a predominant place in steam-power manufacture. To take textile factories alone there are now in this Presidency 61, whilst as far as can be gathered from the latest reports available the number of such factories in the rest of India, excluding the Native States (though as far as the Governor in Council is aware Indore is the only native state in which there are mills) is as follows:—

Madras	3
Bengal	23
N. W. Provinces and Oudh	9
Punjab	2
Central Provinces	2

or 39 in all, being 22 less than the number in the Bombay Presidency. In addition to these factories and to 18 factories belonging to Government, the Railway Companies, the Port Trust, and the Bombay Municipality, there are in this Presidency 19 large non-textile factories to which the Act at present applies. These figures show that it is the Bombay Presidency which would most be affected by the amendment of the law, and seeing that this Presidency contains more factories than all the other Provinces of British India combined, and that in Bombay a strong opinion prevails in favour of an alteration of the Act, it would seem impossible to contend that legislation is not expedient because a demand for it has not been made in other parts of India. Copy of the report should therefore now be forwarded to the Government of India with the expression of an earnest hope that the Governor General in Council will now see fit to amend the existing law as proposed by the Commission and recommended by this Government. The Governor in Council would invite special attention to the representative composition of the Commission, to the moderation of its proposals, and to the fact that save on one point the proposals made by it were arrived at unanimously. It may further be noticed that the recommendations of this body of experienced and independent gentlemen fully justify the repeated previous contentions of the Governor in Council that an amendment of the existing law was urgently called for.

13. The thanks of Government are due and should be conveyed to Mr. Mulock and the members of the Commission for their clear, interesting and able report, for their judicious conduct of the inquiry entrusted to them, and for the time and trouble they have so disinterestedly and with so much public spirit devoted to the investigation of this very important question. The Sanitary Commissioner and Messrs. Gray, Lyon, Waters, and Choksi should also be thanked for their carefully prepared and interesting reports.

14. The Commission suggests that the Government of India should be moved to sanction the grant of an honorarium to Mr. Jones. The Government of India have already declined to sanction the grant, but the Governor General in Council may again be moved to permit the payment of an honorarium to Mr. Jones

Jones of 500 rupees in consideration of the useful services rendered by him as Secretary to the Commission and of the material amount of labour and application they have involved.

(signed) *J. Nugent,*
Secretary to Goverment.

To

W. B. Mulock, Esq., C.S. President of the Factory Commission.
The Collector of Bombay.
The Inspector of Factories, Bombay Presidency.
The Remembrancer of Legal Affairs.
The Legislative Department of the Secretariat.
The Sanitary Commissioner.
The Surgeon General with the Government of Bombay (for communication to Messrs. Gray, Lyon, Waters, and Choksi).
The Accountant General.
The Government of India.
G. Cotton, Esq.
Nanabhoy Byramji Jijibhai, Esq.
T. Blaney, Esq.
Sorabji S. Bengali, Esq., C.I.E.
Mancherji Mawroji Banaji, Esq.
} By letter.
Khán Bahádur Mancherji K. Marzban, A.M.I.C.E.
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(*Mr. James Maclean.*)

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EAST INDIES.

Papers relating to Kashmir.

No. 1.

THE GOVERNMENT OF INDIA to the SECRETARY OF STATE FOR INDIA (EARL OF KIMBERLEY), dated Simla, April 7, 1884.

EXTRACT.

WE have the honour to address your Lordship on the subject of the Kashmir State.

The three principal facts which it is necessary to notice are that the death of the Maharaja Ranbir Singh is apparently near at hand; that the administration of the Kashmir State is so thoroughly disorganised as to threaten a complete breakdown; and that the heir-apparent to the Chiefship is said to be unfitted in character and habits to govern the State. The first two of these facts we have unfortunately been in a position to anticipate for a long time past. The Maharaja has been suffering for years from a mortal disease; while the recent famine afforded convincing proof of the corruptness and inefficiency of the administration of Kashmir. We have also heard from time to time unsatisfactory accounts of the heir-apparent; and it has of late been reported that his father entertained some idea of setting him aside by a testamentary disposition. In our judgment, the time has now come for determining the course which the British Government should adopt on the death of the Maharaja; and we therefore proceed to lay our views before your Lordship.

Turning first to the question of the succession to the present Chief, we are of opinion that the eldest son, Mian Pertab Singh, should be proclaimed at once when his father dies. We do not consider that we can take cognizance of the vices attributed to Pertab Singh unless they have reduced him to a condition of actual incapacity, which does not appear to be the case; nor do we think that in this matter we should be justified in attaching any weight even to the wishes of His Highness Ranbir Singh. For the general interests of peace and good order among the Native States, no encouragement should be given to the idea that an eldest son can be set aside at the will of his father; and we hold that in practice nothing but the clearest evidence of actual incapacity to rule should be allowed to stand in the way of a regular succession by order of primogeniture. Further, we are entirely opposed to permitting any partition of the Kashmir State, by will or otherwise, among the three sons of the present Chief. Feeling confident that our opinions upon these points are in accord with established policy, we have anticipated your Lordship's orders by issuing the instructions necessary for the guidance of Lieutenant-Colonel Sir Oliver St. John, K.C.S.I., the Officer on Special Duty, in case of an emergency arising. In the meanwhile we do not think it desirable formally to announce to the Maharaja that a will affecting the succession could not be recognised, because this course might raise unpleasant discussions. But the Officer on Special Duty will avail himself of any good opportunity for intimating to His Highness that such a will would not be expedient.

On the succession of the new Chief, it will not, in our opinion, be proper to postpone any longer a representation of our views upon the necessity for introducing substantial reforms into the administration of Kashmir. The misgovernment to which the people of that country have long been subjected was some time since prominently brought to our notice by Mr. Henvey. We did not take action at once, conceiving that a more favourable opportunity would present itself on the occurrence of a fresh succession—an event which seemed unlikely to be long postponed. When that event

takes place, we consider that it will be our duty to impress upon the Kashmir Government its obligations to its own subjects, and to see that the reforms which are so urgently needed are no longer postponed. With this view we would propose, immediately on the occurrence of the next succession, to inform the Maharaja that we regard the present state of affairs as most unsatisfactory, and that substantial reforms are required. We would if possible lead the new Government to propose the measures necessary in order to give effect to this altered policy, but we should require that their execution should be entrusted to competent hands. While firmly insisting upon the necessity for a change, we should avoid any direct interference with administrative details.

We are, however, sensible that, if our advice is to be effectual, it may be necessary to alter the present arrangement under which our representative remains in the Maharaja's territory for a portion only of the year. Such a change would probably be welcomed by the people of Kashmir; and as it would not be introduced until after the death of Maharaja Ranbir Singh, his feelings in the matter would be fully respected. It is a measure which may be called for, not merely by the need for assisting and supervising administrative reforms, but also by the increasing importance to the Government of India of watching events beyond the North-Western frontier of Kashmir. Any disturbances which continued misgovernment might create in Kashmir would be acutely felt on the frontiers of Afghanistan; the connexion between Kashmir and its dependent Chiefships would in all probability be severed; and grave political complications might easily ensue. We have therefore to consider the necessity for providing for efficient political supervision, not merely in the interests of the people of Kashmir, but also in the interests of the people of India. Under these circumstances we are anxious to obtain from Her Majesty's Government authority to appoint, if it should appear to us necessary, at any time after the death of the present Maharaja, a Resident Political Officer, who will exercise a general supervision over the affairs of the Kashmir State. We do not propose that this officer, if appointed by us, should hold any actual position in the government of the State, nor do we think that it would be necessary to give him special powers in the Province of Kashmir. It will suffice if he occupies, with regard to Jummoo and Kashmir, the position and powers ordinarily given to a British Resident in a feudatory State.

The British Government are not debarred by any engagement, express or tacit, from posting a Political Officer permanently in Kashmir; and we see no reason why an arrangement which has been accepted without demur by such a State as Hyderabad should not be adopted in regard to the Kashmir State. If this view is correct, the only question which arises is, whether existing circumstances do not render it desirable to give us the authority we seek.

No. 2.

The SECRETARY OF STATE FOR INDIA to the GOVERNMENT OF INDIA.

My Lord Marquis, India Office, May 23, 1884.

I have to acknowledge the receipt of the letter of your Excellency's Government, dated the 7th April, relating to Kashmir affairs.

2. In anticipation of the death of Maharaja Ranbir Singh, which is believed to be near at hand, your Excellency in Council has had under consideration (1) the course to be adopted in regard to the succession; (2) the measures which should be taken on the commencement of a new reign, in order to secure reforms in the administration of the State; and (3) the expediency of a change in the existing arrangements for the representation of the British Government at the Maharaja's Court.

3. Your Excellency in Council is of opinion that any attempt on the part of the Maharaja to exclude his eldest son from the succession should be discouraged, and that Mian Pertab Singh should be proclaimed immediately on his father's death; you propose to require from the new ruler substantial reforms in the administration, and to insist upon their execution being entrusted to competent hands; and you request from Her

Majesty's Government discretionary authority to appoint, at any time after the death of Maharaja Ranbir Singh, a British Resident in Kashmir, with the position and powers ordinarily given to such an officer in a feudatory State.

4. While I regret to receive so unfavourable an account of the character of the Maharaja's heir, I agree with your Excellency's Government in regarding as inexpedient any deviation in the case of Kashmir from the regular succession by order of primogeniture, or any partition of the State, by will or otherwise, among the three sons of the present chief. I approve, therefore, of the instructions in accordance with this view, which I understand to have been sent to the Officer on Special Duty in Kashmir.

5. As to the urgent need of reforms in the administration of the State, there is, unfortunately, no room for doubt. It may, indeed, be a question whether, having regard to the circumstances under which the sovereignty of the country was entrusted to the present Hindoo ruling family, the intervention of the British Government on behalf of the Mahomedan population has not already been too long delayed; but, however this may be, Her Majesty's Government are satisfied that, upon a fresh succession, no time should be lost in taking whatever steps may be requisite in order to place the administration upon a sound footing.

6. The same occasion would, in the opinion of Her Majesty's Government, be a suitable one for introducing a change in the present arrangement under which your Excellency's representative remains in Kashmir for a portion only of the year.

7. In 1846 it was decided not to appoint a political officer to reside permanently at the Maharaja's Court, whilst in 1873, when the measure was recommended by Lord Northbrook's Government, the necessity for it did not seem to Her Majesty's Government to be so clearly established as to justify them in disregarding objections which were expressed by authorities entitled to respect. But in the interval which has since elapsed circumstances have greatly changed; and whether regard be had to the condition of the country, to the character of the Prince into whose hands the Government will shortly pass, or to the course of events beyond the border, which has materially increased the political importance of Kashmir, the appointment which you request a discretionary authority to make appears to be not only desirable but necessary. Your Excellency in Council is, therefore, at liberty to proceed in the matter as you may think proper at any time after the death of Maharaja Ranbir Singh, taking care meanwhile that strict secrecy is observed as to your intentions.

I have, &c.
(Signed) KIMBERLEY.

No. 3.

The GOVERNMENT OF INDIA to the SECRETARY OF STATE FOR INDIA (Lord Randolph Churchill), dated Simla, October 19, 1885.

Extract.

We have the honour to forward correspondence relative to affairs in the Kashmir State.

The demise of the late Maharaja Ranbir Singh was announced to your Lordship by telegram on the 12th September; and the papers now enclosed will acquaint Her Majesty's Government with the steps we have taken to carry out the policy approved by Lord Kimberley's despatch, dated the 23rd May 1884. The succession of Pertab Singh, the eldest son of the deceased Maharaja, to the undivided Chiefship of Jammu and Kashmir has been recognised and confirmed. The position of the Political Officer in Kashmir has been placed on the same footing with that of Residents in other Indian States in subordinate alliance with the British Government. The attention of the new ruler has been drawn to certain measures of reform which we consider essential to remedy the long-standing misrule in His Highness's territories. At the same time the Maharaja has been assured that we desire to leave the initiation of these measures in his hands, to abstain from unnecessary interference in his affairs, and to allow him all legitimate discretion and a liberal period of time for the execution of a work which is as difficult as it is necessary.

Your Lordship will perceive that the change in the Political Officer's appointment has evoked a remonstrance from the Maharaja Pertab Singh. We were prepared for

some opposition in this matter on the part of the Darbar, and, as the question has been fully considered and finally settled, we have declined to enter into any further discussion on the subject.

We trust that our proceedings may meet with the approval of Her Majesty's Government.

Enclosure 1 in No. 3.

From the SECRETARY TO THE GOVERNMENT OF INDIA, Foreign Department, to the OFFICER ON SPECIAL DUTY IN KASHMIR, dated Simla, August 1, 1884.

EXTRACT.

I AM directed to convey to you the instructions of the Governor-General in Council upon the condition of affairs in Kashmir.

In case of Maharaja Ranbir Singh's death, his eldest son, Mian Pertab Singh, will succeed to the undivided Chiefship; the new Maharaja will be called upon to introduce such reforms as may seem to be necessary; and a Resident political officer will be stationed in Kashmir. It remains to inform you of the precise steps which the Governor-General in Council desires you to adopt for carrying out these arrangements.

So long as Maharaja Ranbir Singh is alive, the Government of India do not propose to make any change in their existing policy. His Highness should be quietly dissuaded, if he refers to you on the subject, from executing any testament in favour of the partition of his territories; but it will not be necessary for you to make any formal communication to His Highness upon this matter; or to travel beyond existing practice in recommending to him administrative reforms, or other desirable measures. You should abstain from any allusions to the subject of changes in the existing position of the Officer on Special Duty in Kashmir, and you should avoid as much as possible anything which is calculated in the Maharaja's present state of health unnecessarily to disturb his mind. It is of course desirable that you should use your influence, as far as you can, even during the life of the Maharaja, for the improvement of the condition of Kashmir; but the Governor-General in Council wishes to treat His Highness with the utmost consideration; and, as any substantial reform would probably involve a very unpalatable degree of interference with his proceedings, it will be sufficient if, during the remainder of his life, you can preserve the administration of the State from any material change for the worse.

If at any time the Maharaja's death should appear to be very near at hand, you should make arrangements to join His Highness at Jammu, or wherever he may then be, and to prevent any disorder occurring. If his illness should unfortunately terminate fatally, you should take the earliest opportunity of announcing that the Viceroy is pleased to recognise the succession of Mian Pertab Singh to the Chiefship, and you should formally instal the new Chief on the *gaddi* of Jammu and Kashmir.

At the same time you should inform His Highness, and the members of his Darbar, of the views and intentions of the British Government in regard to the future administration of the State. You should give them clearly to understand that His Excellency the Viceroy regards the existing condition of affairs in Kashmir as most unsatisfactory; and you should warn His Highness and those about him that substantial reforms must be introduced without delay. You should then announce that, with the view of aiding His Highness in the introduction and maintenance of those reforms, the Viceroy has decided to give His Highness the assistance of a resident English officer, and that for the future the British representative in Kashmir will have the same status and duties as the Political Residents in other Indian States in subordinate alliance with the British Government.

It is important, in order to avoid uncertainty and the risk of disorder, that this announcement of the intentions of the Government should take place without delay, and that they should be clearly and fully understood both by the Maharaja and by all others concerned when he is installed. The recognition and installation of the new Chief should be as prompt and formal as possible, and nothing should be omitted that can have the effect of assuring His Highness of the good-will of the British Government; but, while treating the Maharaja with the utmost friendliness and courtesy, you cannot speak too plainly in regard to the Viceroy's views and intentions.

Immediately after the news of Maharaja Ranbir Singh's death reaches the Government of India, a letter addressed by His Excellency the Viceroy to the new Chief will be sent to you for delivery. A draft of this letter is enclosed for your information. When you receive the signed copy of this draft or before you receive it, if the ceremonies connected with the change of rulers should afford you an opportunity of speaking earlier, you should invite the Maharaja to indicate the reforms which he may consider it necessary or desirable to introduce; and you should ask His Highness to inform you of his views with regard to the persons whom he would propose to place in charge of the administration. It will not be expedient to bring in a Minister from elsewhere if a sufficiently well qualified local candidate can be found; and as far as possible the Governor-General in Council would wish to leave the Maharaja free to form his own Government. Any proposals, therefore, which His Highness may put forward on this subject will be tentatively accepted, unless you should see decided reason to object to them as holding out no prospect of success.

You will notice that the draft letter to the Maharaja impresses upon him the necessity for consulting you fully at all times, and following your advice. You should therefore not hesitate to offer your advice freely whenever you may think it desirable to do so; the more particularly because, owing to the peculiar conditions under which the Maharaja will succeed to the Chiefship, it will be necessary that his administration should for a time at least be closely supervised; the condition of Kashmir must be thoroughly reformed; and the Governor-General in Council cannot allow this object to be frustrated by any obstruction or procrastination on the part of the Darbar.

I am now to enumerate, for your information and guidance, the principal measures of reform which appear to the Governor-General in Council to be necessary after any arrangements required for the immediate alleviation of distress, if distress exist, have been adopted and carried out. In the opinion of the Governor-General in Council those measures are: the introduction of a reasonably light assessment of land revenue, collections being made in cash if on examination this seems to be a suitable arrangement; the construction of good roads; the cessation of State monopolies; the revision of existing taxes and dues, especially transit dues and the numerous taxes upon trades and professions; the abolition of the system of farming the revenue, wherever this system is in force; the appointment of respectable officials, if such exist, and their regular payment in coin; the establishment of a careful system of financial control; the removal of all restrictions upon emigration; the reorganisation and regular payment of the army; and the improvement of the judicial administration. In order to afford the Maharaja all possible help in the introduction of such reforms, the Governor-General in Council will if necessary grant His Highness a loan from Imperial revenues, and will also be willing to place at his disposal, for a time, the services of any officers of the British Government who may seem specially qualified to assist the new administration in carrying out the measures contemplated. Such assistance seems to be more particularly required with regard to the revision of the settlement and the construction of roads. The pay of any officers transferred must, however, be found by the Kashmir State.

With reference to the relations existing between Kashmir and the States upon her northern borders, the Governor-General in Council does not think it necessary at present to issue any detailed instructions. The question is an important one, and will require your close and constant attention. You should be kept accurately informed of all movements of troops and other noteworthy occurrences in the direction of the frontier; and you should be prepared to advise Maharaja Pertab Singh freely on all matters of frontier policy. But at present the Governor-General in Council has no special instructions to give you on this subject.

I am to add that if the death of Maharaja Ranbir Singh occurs during the Kashmir season, and you find yourself obliged in consequence to leave Srinagar for Jammu, you should on starting hand over the charge of your current duties to the Agency Surgeon or other qualified officer. The Governor-General in Council is willing to leave to your discretion the question of the route by which you should go to Jammu; but he desires me to suggest to you that your passing down by the direct route through Kashmir territory might have a good effect in maintaining quiet and order. And I am to say that it is very desirable not to move any British troops across the border if this can possibly be avoided. If it becomes absolutely necessary to do so, the special sanction of the Government of India should be obtained before any movement is made.

I have only to remark in conclusion that circumstances may evidently occur to which the terms of this letter will not be strictly applicable. The Maharaja Ranbir

Singh may die suddenly in your absence, or his life may be unexpectedly prolonged. Mian Pertab Singh may be absent from Jammu at the time of his father's decease, and it is even possible that before that event occurs he may become actually incapacitated for rule. These or similar circumstances may render some departure necessary from the letter of the instructions now given to you. But the Governor-General in Council relies with confidence upon your judgment in the event of any such contingency, and has no doubt that the instructions now given to you will suffice for your guidance in all matters of practical importance. If necessity arises they can hereafter be modified.

Enclosure 2 in No. 3.

From Resident in Kashmir to Secretary to the Government of India, Foreign Department. Jammu, 16 September 1885.

Extract.

I have the honour to report my arrival here yesterday morning, my journey having been much delayed by the bad state of the road. At Vernag, late at night on the 12th, I received a telegram from Mian Pertab Singh, the heir-apparent, informing me of the death of his father, Maharaja Ranbir Singh, at 4.30 p.m. that day.

From conversation with Dr. Gopal Chander, his Highness's medical attendant and others, I learn that, about the 29th August, the Maharaja, who was still weak from the effects of the fever from which he had suffered two months ago, had an attack of dysentery, which the medicines given him failed to relieve. He grew rapidly worse, but was under no apprehension of a fatal result till 24 hours before his death, when, finding that the forgiveness and return of a Brahmin whom he had exiled many years ago, and under whose curse he was persuaded by a seer he was labouring, failed to give him any relief, he made up his mind that his end was at hand. He then enjoined his sons to live in peace with one another, and told Pertab Singh, the eldest, to complete the good works he had begun. He also ordered that the contract for the sale of liquor in Jammu, recently sold for 40,000 rupees, should be cancelled, and the sale of spirits forbidden as heretofore; and further directed that the toll levied on persons crossing the Tavi river by ford should be discontinued, and that fire-wood and vegetables should for the future be allowed to enter Jammu free of duty. At four in the afternoon he became insensible, and according to Hindoo custom was removed from his bed to the floor, where he breathed his last shortly afterwards.

The next day, the 13th, the Maharaja's body was burned on the bank of the Tavi river with great ceremony in the presence of a large multitude. The corpse is said to have been enveloped originally in 40 coverings of shawl and other rich stuffs, interspersed with gold coins and jewels of great value placed there by the women of his harem; but I am told that all but 13 of the wrappers were taken off by the attendant Brahmins before the body was placed on the pile. The whole of the Maharaja's wardrobe, jewels, riding horses, with seven elephants, and a number of cattle, besides a very large sum in cash, the whole estimated at from five to ten lakhs of rupees, were set aside for distribution among the Brahmins or to be sent to holy men in the neighbourhood. All business was suspended, and all shops ordered to be closed; but the next day this order was so far relaxed as to allow provision dealers to carry on their trade through one leaf of their shop doors. All Government employés, including the soldiers, shaved their heads and faces, excepting only Sikhs, Musalmans, Brahmans, and those Rajputs connected with the Maharaja by marriage. White garments are worn by all, and ornaments of every description laid aside.

The period of mourning extends over 13 days, and the Minister, Diwan Anant Ram, whom I saw immediately after my arrival, made some difficulty about my seeing the new Maharaja Pertab Singh before its expiry. The duties of religion, he declared, absolutely debarred the chief mourner from touching or even sitting on the same carpet with any other human being, till its close. Thus my reception in Darbar would be impossible. Under these circumstances it became impracticable to carry out to the letter the instructions conveyed in your letter of the 1st August 1884, a formal installation of the new Maharaja on the *gaddi* being incompatible with the earliest possible announcement of his recognition, and the delivery of his Excellency's message as to the views and intentions of the British Government. It seemed to me, however, all impor-

tant that there should be no delay in these last, and I therefore told the Diwan that it was imperatively necessary that I should see the Maharaja at once. He replied that if I would consent to forego the usual ceremonies of reception, and had no objection to sitting on the floor (it being impossible to admit any article of furniture into the room with the Maharaja), His Highness would be glad to see me.

Accordingly at 5 in the afternoon I went to the Palace, where I was received by Mian Amar Sing, the late Maharaja's youngest son. In an inner room opening from the Darbar Hall I found the Maharaja sitting on a small square carpet covered with white cotton. A similar one was placed by its side for my accommodation. After I was seated all present left the room, entirely contrary to custom (I have never had an interview with the late Maharaja without two at least of his Council being present). After a few sentences of compliment and condolence, I told Pertab Singh that I had a message for him from the Viceroy, to be delivered in the presence of his Council. He replied that he had not yet appointed a Council, to which I answered that it was to the members of late Maharaja's Council that I referred. He then called in Diwan Anant Ram alone. It was clear that an unpalatable communication was anticipated, and that it was hoped to confine it to as small a circle of hearers as possible. I therefore said that the message I had to deliver was not private and confidential though very important. On the contrary I had hoped to deliver it to His Highness in Darbar, but this being impossible I begged that he would call in at least Babu Nilambar and Diwan Gobind Sahai, who I knew were waiting outside. On this Pertab Singh ordered them to come in. On their seating themselves I told his Highness that His Excellency the Viceroy had ordered me in the first place to lose no time in announcing that his Excellency is pleased to recognise his succession to the Chiefship. This was received with expressions of gratitude and loyalty, the Maharaja rising and bowing his thanks. I then gave him the message contained in your letter, translating it sentence by sentence into Hindustani, only using the words "Kashmir and Jammu" instead of "Kashmir" only, as it might have been asserted afterwards that the message referred to Kashmir only, and not to the whole State.

The first part of the message referring to the introduction of reforms was received without any mark of surprise by my auditors, but the announcement of the immediate appointment of a Resident was evidently an unexpected blow.

I then took leave of the Maharaja. In the evening Babu Nilambar called on me with reference to another subject, and asked that I would explain, for the Maharaja's information, what was meant by the "assistance of a Resident." Did it imply that the Resident would take an active part in the administration of the country? I told him that I could not undertake to define the exact duties of a Resident, but that he would certainly leave all the active work of administration to the Darbar, while claiming the right to be made acquainted, should he require it, with all its details. He would give advice if asked for, and on any point he thought proper unasked; and in this latter case would expect his advice to be followed.

To-day Babu Nilambar called on me again, accompanied by Diwan Anant Ram. They brought a message from the Maharaja, begging me to use my influence to obtain for him a short delay before the appointment of a Resident, in order that he might get the credit for the reforms he had long made up his mind to introduce, if he ever got the opportunity. It is unnecessary to detail the long conversation that ensued. Babu Nilambar finally acknowledged that the main objection was to the name "Resident." To this I replied that at the present juncture, putting aside other arguments, the name was all-important. The Maharaja and his councillors appeared to me to underrate vastly the difficulty of the task before them. It was one thing to order reforms and another to carry them out. In remedying the abuses which were ruining the country, they would have opposed to them the entire army of employés, high and low, who had been fattening on the land for years. The public appointment of a Resident would show these officials that there was something beyond caprice or the zeal of a new ruler in the reforms initiated at Jammu, and they would soon recognise that they must be carried out. At the same time the people at large would welcome the appointment of a Resident as an assurance of substantial reforms to come. Under these circumstances, while anxious to do all in my power to meet the Maharaja's wishes, I regretted that I could not recommend to his Excellency any delay in the formal appointment of a Resident.

The state of affairs seems to be somewhat as follows:—The death of Wazir Punnu (who fell down dead in Darbar on the 6th instant) was a stroke of extraordinary good fortune for the opposite party, represented by Diwan Anant Ram and Babu Nilambar. It not only removed their most powerful adversary and the man who had the greatest influence with the present as with the late Maharaja, but it also keeps the country quiet

without any effort on their part. The name of Punnu was a bye-word and a reproach among the people, and all the tyranny and oppression from which they suffered was invariably laid to his door, not always with justice. Had he survived his old master, he would have been the leading spirit in the Councils of the new Chief, and the people, hopeless of improvement, would probably have made rebellious demonstrations, which, with an army eighteen months in arrears of pay, would not have been easy to suppress. But Punnu died six days before Pertab Singh succeeded to the Chiefship, and the people, overjoyed at their deliverance from the man whom they believed their sole tyrant, are probably indifferent to the change of rulers, and will remain quiet in confident anticipation of early relief from their burdens.

Another fortunate circumstance for the new Chief is the general prosperity of the country, as far as it can be prosperous under such a Government. The late spring rains caused some loss in the low country and the outer hills, as did the summer floods in Kashmir, but the agricultural outturn for the last year has everywhere been exceptionally high, and the prospects of the crops now in the ground are excellent. Commerce is shown by the Punjab trade reports to be steadily improving in spite of the vexatious restrictions placed on it. Thus, as far as the country itself is concerned, Maharaja Pertab Singh and his councillors have everything in their favour. At present he is looking for advice to Babu Nilambar and Diwan Anant Ram. The first is clever and well-intentioned, but without practical experience of administration and deficient in force of character. The Diwan is perhaps well meaning, but his bringing up inclines him to lean to the old way of managing the country, and he is weak and cunning. They are, I fear, wholly unable to cope with the difficulties which will meet them in improving the administration, should they make any real effort to do so. Certain simple reforms, such as the abolition of obnoxious imposts and export dues, and the more regular payment of officials they may effect, but it will I fear be hopeless to look for any serious improvement in the administration generally, without constant and heavy pressure, and material interference in details.

A probable early source of trouble will be the influence possessed over the new Maharaja by his personal followers. These, who are mostly men of the lowest class, are already beginning to assert themselves, and to offer to help their friends to lucrative employment. It can hardly be long before they and the party of Nilambar and Anant Ram come into conflict. The latter will not have the courage to lean on the Resident, and govern as Salar Jang did in Hyderabad, in spite of the Chief, but will try to trim with the usual consequences. On these points I will write more fully as the situation develops itself. For the present I have only pointed out to Anant Ram and Nilambar the urgent necessity for paying the troops, and for relieving the export trade of the country from its burdens. They will not, or cannot, give me any information of the actual state of the finances, except that the public treasury is practically empty. I have every reason to believe, however, that the late Maharaja regularly diverted the revenue of certain districts to his private chest. Some of this was devoted to religious purposes, but popular report has it that he has left large sums hoarded in obscure forts in different parts of the country. It is also said that he solemnly enjoined that this money should never be used to meet the current expenditure of the State, and no doubt, if it exists, every effort will be made to keep it intact, or at all events to spend it on no useful object. The annual customs contract expires in the course of a month or two, and this will be a favourable opportunity for a revision of the tariff which should entirely free the woollen and metal trades of Kashmir from the heavy export duties to which they are now subject. This will give an impulse to production in Srinagar, which should tide the artisan class over the winter, of which the prospects are exceptionally bad owing to the final collapse of the shawl trade in Europe, and the paucity of visitors in the valley this year.

The Maharaja ends his mourning on the 26th, when he will take his seat in Darbar. This will be the proper opportunity for the delivery of the *kharita* from his Excellency the Viceroy, of which a copy was enclosed with your letter of the 1st August 1884.

KHARITA, dated Simla, the 14th September 1885, referred to in last paragraph of above Enclosure.

From His Excellency the VICEROY AND GOVERNOR-GENERAL OF INDIA to the MAHARAJA OF JAMMU AND KASHMIR.

I HAVE received with deep regret the news of the death of your father, Maharaja Ranbir Sing; and I wish to assure you without delay of my most sincere sympathy.

Maharaja Ranbir Sing rendered valuable services to the British Government. I feel that his loss is the loss of a friend; and I wish that it had not fallen to me, during the period of my Viceroyalty, to consider the measures rendered necessary by this unfortunate event.

It is now my duty to inform you, on behalf of the Queen-Empress of India, that I recognise and confirm your succession to the Chiefship of Jammu and Kashmir. I trust that Your Highness's life may be long and prosperous; and that, in all difficulties, of whatsoever kind, you will rely with confidence upon the good-will of the British Government, which will never fail you so long as you are loyal to the Crown and earnest in the desire to rule your State with justice and moderation.

Your Highness has before you a difficult task. During the illness of your father the administration of the State became seriously disorganised, and it will be necessary for you to introduce many reforms. But my Agent, Sir Oliver St. John, will remain with you and help you to the utmost of his ability; and I feel confident that with his aid all your difficulties will be successfully met and overcome. I request your Highness to refer to him for a more detailed explanation of my views regarding the future administration of the Kashmir State; and I hope that your Highness will not fail to consult him freely at all times, and to be guided by his advice in carrying those views into execution.

Enclosure 3 in No. 3.

From MIAN PERTAB SINGH to His Excellency the VICEROY AND GOVERNOR-GENERAL OF INDIA.

YOUR MOST ESTEEMED EXCELLENCY, Jammu, September 18, 1885.

I BEG to offer my heartfelt thanks for your Excellency's kind message of condolence on the demise of my father, whose devoted loyalty to the British Crown won for him those assurances of personal friendship from your Excellency which he valued so highly, and of which he felt so very proud.

I have also to present my grateful thanks to your Excellency for the most welcome message conveyed to me on the 15th instant by Colonel Sir Oliver St. John, the Officer on Special Duty in Kashmir, that your Excellency has been pleased to recognise my succession to the gaddi of this State, and I hope by the blessing of God to let your Excellency have the satisfaction of learning before long that I am as fully alive to the undoubted and immense importance of conscientiously discharging my duties towards my subjects by doing all in my power to secure their best happiness, as I am awake to the supremely important duty of giving renewed proofs of loyalty to the British Government by following in the footsteps of my father and grandfather.

I do not hesitate to admit that the existing state of affairs in Kashmir and Jammu urgently requires immediate introduction of substantial reforms into the administration of the country, and now that I have power commensurate with my responsibilities, I beg to assure your Excellency that nothing shall be spared on my part, and no time will be lost to prove beyond any possibility of doubt that it is my ambition to succeed in making my country a model of a well-governed State in alliance with the Government of India.

It has, however, pained me extremely to learn that exactly at the time when I have made up my mind to deserve and win your Excellency's approbation and encouragement by proving myself equal to the onerous and responsible duties of a good ruler, your Excellency has been thinking of changing the status of the British Officer on Special Duty in Kashmir to that of a Political Resident, and thus lowering me in the eyes of my subjects and in the estimation of the public. It is fully known to your Excellency that I have only just now acquired the power of showing to the world that, without any interference from any quarter or any, the smallest, diminution of long-enjoyed rights and dignity of this State, I am able and willing of my own accord to introduce and

maintain such reforms as are calculated to entitle a ruler to the lasting gratitude of his subjects, and encouraging approbation of the paramount power as well as the public at large.

I may submit to your Excellency that I am fully aware of the wise and benevolent principles which guide the Supreme Government of India in its relations with the Native States, and I have not the least doubt that your Excellency will estimate me not by the splendour of my Court, nor by the pomp of my retinue, but by my conduct towards my subjects and by the only standard of good government combined with sincere and active loyalty.

I am confident also that I have only to convince your Excellency of the purity of my intentions, the earnestness of my purpose, and the firmness of my determination to govern well, to win your Excellency's sympathy with me in my desire to see the position of the Officer on Special Duty in Kashmir unaltered in his relations with this State.

I have sufficient confidence in the unbiassed justice of your Excellency's Government to hope that your Excellency will not form any unfavourable opinion of my abilities, intentions, and character till the result of my administration for a sufficient length of time should justify a definite conclusion, and that your Excellency will see no necessity for altering the status of the Officer on Special Duty in Kashmir, and that, therefore, there will be no occasion now for my waiting personally on your Excellency at Simla to give your Excellency the trouble of taking into serious consideration the sanads of Her Imperial Majesty's Government, securing to the Chiefship the full enjoyment of all the rights of my father and grandfather, and to submit to your Excellency the grounds on which I attach so much importance to the credit of earning the reputation of a just and benevolent ruler without any meddling* from any quarter, and of preserving intact in all its relations the integrity of the State as inherited from my father as well as of endeavouring to exalt its dignity in the estimation of the paramount power by doing exactly what a ruler of a large and important State should do.

Requesting your Excellency to excuse the trouble I have given you, I beg to subscribe myself, &c.

Enclosure 4 in No. 3.

From Resident in Kashmir, to Secretary to the Government of India, Foreign Department, dated Jammu, September 27, 1885.

Extract.

In continuation of my letter of the 16th, I have the honour to report that Mian Pertab Singh, eldest son of the late Maharaja Ranbir Singh, formally took his seat in Darbar on the afternoon of the 25th instant.

The previous day and the morning of the 25th had been occupied in distributing gifts to Brahmins by the river side, at the place where the late Maharaja's body was burnt. In addition to a large sum of money, these gifts consisted of 13 sets of everything that had been used by the Maharaja in this world, including horses, cows, and other domestic animals, but only one elephant. The total value is estimated by public opinion at two lakhs of rupees, but was probably less. The remainder of the Maharaja's effects, with a sum of five lakhs from his private treasury, are retained to be added to the fund consecrated by him to the perpetual use of the temples, which fund last year already amounted to 15 lakhs.

On concluding the distribution of the gifts destined to facilitate his father's passage to Paradise, Maharaja Pertab Sing returned to the Palace, and performed the ceremony of "dastarbandi," *i.e.*, tying on of the turban, which marks the close of the period of acute grief.

At 5 p.m. I paid the Maharaja a formal visit to congratulate him on his accession. The *kharita* of his Excellency the Viceroy had already been delivered to him privately, to put an end to further useless argument on the question of the "Resident," and to avoid mention of the topic in Darbar which would have been very distasteful to the Chief. Instead therefore of reading the *kharita*, I made a short speech in Urdu, of which a translation is attached (Enclosure A.).

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* The Persian version renders this word by "dastandazi."—J. A. C.

Babu Nilambara Mukerji then read a manifesto in English, a translation* of which in Urdu was subsequently read by Diwan Anant Ram, followed by the proclamation alluded to.

The imposts and customs mitigated or abolished are as follows :—

(1.) The custom of "khodkasht." This is a system by which the State farms a part of the village lands itself. Advances are annually made to the persons employed for the purpose, but it is notorious that they embezzle the money, and cultivate the land with forced labour, and seed extorted from the villagers.

(2.) The custom of "leri." This is a system of paying sepoys and others by remission of rent, instead of in coin, and, for some reason not easily explained, is much disliked.

(3.) Each group of 10 houses in Jammu territory will no longer, as before, be obliged to supply one sepoy or other Government servant; forcible enlistment generally is abolished; and the rule of obliging families to provide substitutes for deserters is done away with.

(4.) The customs duty on rice and other provisions brought into Srinagar for sale is reduced from two annas in the rupee to half an anna, in other words from $12\frac{1}{2}$ to $3\frac{1}{8}$ per cent.

To understand the severity of this tax it must be explained that Government itself is the principal grain dealer, and fixes a permanent rate at which grain is sold. Thus the rate for unhusked rice is Rs. 1–4 (English) per kharwar, equivalent to about 10 annas a mân. If a Zemindar sends rice to market, he can ask no more for it than 10 annas a mân, and has in addition to pay the customs contractor $1\frac{1}{4}$ anna before he can offer it for sale. Under these conditions it is clear that the remission of three-fourths of this tax will benefit the producer, and not the consumer, who will pay the same price for his rice as before.

(5.) The next impost remitted is also in favour of the Zemindar. Every large village community in Kashmir comprises a "Zillahdar," or "Harkara," whose business it is to report the misdeeds of his fellows. The Darbar affect to look on these officials as rural police; but as they are occasionally women, and have no powers beyond reporting, spies would be a better name for them. They are paid by a cess of $1\frac{1}{2}$ per cent. on the gross produce of the land. Some years ago it occurred to Wazir Punnoo that the Zillahdars were making too much money, and he therefore made their chief, the Harkara-Bashi (head-bringer of news) pay an annual sum to the treasury. This has been raised till it now amounts to 60,000 Chilki rupees (37,500 English), a great deal more than the estimated total value of the cess from which it is supposed to be paid. This most obnoxious impost is now abolished, but the Zillahdars are warned that they must continue to send in reports, and that if found extorting anything beyond the legitimate $1\frac{1}{2}$ per cent. they will be punished.

(6.) The tax on the sale of horses in Kashmir, called "Zar-i-nakas," which at one time amounted to 50 per cent. of the purchase money, is abolished.

(7.) The tax on "Ekhas" plying for hire to Sialkot, which amounted to Rs. 1–11 on a total of Rs. 2–10 is abolished, and some other minor dues are remitted.

On the whole the above constitute a valuable boon to the people, especially to the cultivating classes of Jammu, whose main grievances are now removed. Sensible relief is also given to the Kashmir peasant; but the artizan of the towns, whose needs are greater, gets nothing but a slight possible reduction in the price of fruit and vegetables.

Yesterday afternoon I had a private interview with the Maharaja, at which only Diwan Anant Ram and Babu Nilambara Mukerji were present. According to my instructions I asked him to let me know what reforms he proposed to initiate, and to what persons he proposed to entrust their execution. As regards reforms he would only refer me to the manifesto (Enclosure B.), repeatedly declaring with reference to both reforms and ministers that he required time to reflect. At last he said that he entrusted Babu Nilambara with all business connected with finance, while Diwan

* Enclosure B.

Anant Ram would continue as before to conduct foreign affairs, which he defined to be those of Ladak and Leh, and correspondence with myself. I told the Maharaja that I was going back to Kashmir for the present, but that I should return before long, and hoped that by that time he would have matured his schemes for reform. I could not, however, leave without doing my utmost to impress on him the imperative necessity of relieving the manufacturing classes of Kashmir from the present burdens on trade. I then tried to explain the question to him, but the only answer to be obtained was that he would think over it.

I should here remark that I had previously discussed the question with Babu Nilambara, who tried to argue that the Government of India should do something in return for concessions on this point. Of course I replied that our only object was to benefit the Kashmir government and people, who are the only sufferers from the insane policy of imposing crushing duties on their own manufactures. I fear that much pressure will be required to bring about this most essential reform.

As mentioned in my former letter, Maharaja Ranbir Singh is said to have left considerable private wealth. Babu Nilambara tells me that this is certain, but that neither he nor anyone outside the household have any idea of the amount. The public treasury, or rather treasuries, for there are many in Jammu itself, are empty, but money has been produced from the Palace (about $2\frac{3}{4}$ lakhs) to pay the troops up to the end of the last Hindoo year, for which they had as yet received nothing. This leaves them only five months in arrear. The troops in Kashmir have already been paid.

My impression as regards the new Maharaja is that, though entirely wanting in the quick wit of his father, he has inherited a full share of his obstinacy and cunning. He will consent to certain surface reforms, but on the cardinal points of delegating real power to his ministers, freeing trade, improving communications, and making a proper land settlement, he will, I fear, offer as much opposition as he dares.

Babu Nilambara and Diwan Anant Ram, freed from the fear of Wazir Punnoo, seem to think themselves strong enough to go on alone without the support of a Resident, which they formerly declared to be essentially necessary. They will soon find themselves mistaken, but in the meantime had better be left to themselves. On this account I am glad to return to Kashmir, for which I start to-morrow, inspecting the cart-road *en route*. On this work, the completion of which is an essential preliminary to the greatest of the reforms required in Kashmir, a proper land revenue settlement, I will submit a full report at the earliest opportunity. I will also, while in Kashmir, ascertain the exact burdens now imposed on the export trade which are constantly varying.

I have seen with regret that His Highness keeps his younger brothers, Ram Singh and Amar Singh, and his cousin, Raja Moti Singh of Poonal, at a distance. I have let him know that I think this a mistake; and have exchanged visits with them for the first time. During the late Maharaja's reign overtures to this effect met with no response.

Enclosure A.

Your Highness! I beg to offer you my congratulations on your accession to the place occupied by your father and grandfather, whose loyalty and devotion to the British Crown you will, I feel sure, do your utmost to emulate.

No Chief in India has ever succeeded to the gadi with more opportunities for doing good. The State of Jammu and Kashmir has fallen behind the majority of the States of India in that progress which is necessary to the welfare of the people and the good name of their rulers.

It is your Highness' good fortune to have it in your power to remedy these shortcomings; and, though the task will be a difficult one, I feel assured that you will address all your energies to it. The Government of India will take the warmest interests in your efforts to improve the administration of your State and the condition of your subjects of every class; and the eyes of all enlightened persons in India will be fixed on you to see how you perform the duties for which you are now responsible.

It is my earnest hope to be able before long to congratulate you on ruling over a country foremost in India for good government and happy subjects as it is for loyalty and devotion. May your Highness's reign be long and prosperous, and may your name be handed down to posterity as the Nowshirwan of Jammu and Kashmir.

Enclosure B.

Sir Oliver St. John, Sardars, and Gentlemen,

My hearty and cordial thanks are due to his Excellency the Viceroy, and his worthy representative and my sincere friend, Sir Oliver St. John, for the kharita, recognising my succession to the Chiefship of this large and important State, and I take this fitting opportunity to declare publicly, that of the many arduous and responsible duties which I shall have to perform as the ruler of this State, the foremost under all circumstances will be the duty of following in the footsteps of my illustrious grandfather and his lamented Highness, in giving substantial proofs of unswerving and devoted loyalty to Her Imperial Majesty's Government, and when the necessity will arise of placing all the resources of my country at the disposal of his Excellency the Viceroy, and of personally joining the British army with the whole of my military force.

2. Next in importance to my obligations to the paramount power, but next to those only, will be the duty of governing my country with justice and moderation. The responsibilities which I am going to undertake will be high and heavy indeed, but I believe God will grant me firmness and strength enough to discharge them with credit to the family of my renowned ancestors, and benefit to the lakhs of subjects, whom it has pleased Providence to place under my care.

3. I have before me the difficult task of introducing substantial reforms in the administration of the country, but I believe I have only to look the difficulties boldly in the face, and show a determined front to achieve complete success, and earn the reputation of a just and good ruler. Armed with purity of intentions and firmness of purpose, I may reasonably entertain the hope of being able to clear the administrative agency of all corruption and incompetency, and impart to it the maximum of honesty and efficiency. I now warn my officials of all ranks that I have fully made up my mind to put down corruption and intrigue wherever they may be found, and I hope they will do all in their power to help me in making my administration a blessing and a source of unmixed good to my people.

4. I know that the paramount power as well as the public will watch with interest the progress and development of my measures of reform, and I am fully alive to the fact that they will estimate me not by the pomp and splendour of my court and retinue, but by the amount of happiness that I may secure to my subjects.

5. I need not trouble you now with minute details of what I intend to do, but I think I can declare without committing myself to any particular measure the policy and the general principles that will guide me in the conduct of my affairs. I shall adopt such measures only as are calculated to secure to my subjects their greatest good and the fullest enjoyment of their rights and privileges, and shall conduct my administration, so that the tiller of the soil will enjoy a fair share of the produce of his labour, and the manufacturer the fruit of his skill and industry, that every facility will be given to commerce by improving the means of communication and removing unnecessary and vexatious restrictions, that every encouragement will be offered to get all the resources of the country properly developed, that adequate measures will be taken to give my subjects the benefits of sound and useful education, that ample provision will be made for the relief of the sick and the suffering, and that real merit and worth in my subjects will be recognised and fostered without any distinction of race or rank, creed or colour.

6. To commemorate this auspicious accession with a few acts pointing to the character of the policy I am going to follow, I do now abolish and reduce certain duties and taxes, and remove certain restrictions detailed in the proclamation* which my Diwan will read out to you.

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* This proclamation was not received from India.

No. 4.

The SECRETARY OF STATE FOR INDIA to the GOVERNMENT OF INDIA.

MY LORD, India Office, London, 27th November 1885.

Para. 1. I HAVE to acknowledge the receipt of the letter of your Excellency's Government, dated the 19th ultimo, reporting the measures which have been taken in reference to the State of Kashmir, in consequence of the death of Maharaja Ranbir Singh on the 12th September.

2. When in the spring of the year 1884, the death of the Maharaja was supposed to be imminent, Her Majesty's Government, in accordance with recommendations submitted by the Government of your Excellency's predecessor, decided that, upon the occurrence of that event, His Highness's eldest son should be recognised as successor to the undivided State, but that he should be required to introduce substantial reforms into the administration, and to entrust their execution to competent hands. The Government of India was also authorised, at its discretion, to substitute for an Officer on Special Duty in Kashmir a Resident with the same position and duties as Political Residents in other Native States in subordinate alliance with the British Government.

3. The papers now received from your Excellency's Government show that, the contingency contemplated in 1884 having arisen, the utmost consideration has been shown to the susceptibilities of Maharaja Pertab Singh in giving effect to the policy then determined upon. His Highness has been informed that, within reasonable limits, he will be allowed full scope and ample time to introduce the requisite administrative reforms, and will get the full credit for initiating them, while it has properly been pointed out to him, in reply to his objections to the proposed change in the status of the representative of the Government of India at his court, that an arrangement, which is considered suitable in the cases of the other great Princes and Chiefs of India, cannot be regarded either as derogatory to the dignity of the Kashmir State, or as indicating a desire on the part of the paramount power to interfere unnecessarily in its internal affairs.

4. I have to express my full approval of the proceedings of your Excellency's Government in this matter. Having regard to the condition of the country, to the character of the new ruler, and to the aspect of affairs beyond the frontier, in reference to which Kashmir occupies so important a position, I entertain no doubt as to the necessity for the measures now reported, which will, I trust, conduce to the material well-being of the people of the State, and tend to the better security of imperial interests.

I have, &c.

(Signed) RANDOLPH S. CHURCHILL.

No. 5.

The GOVERNMENT OF INDIA to the SECRETARY OF STATE, dated Simla, August 18, 1888.

EXTRACT.

In March last Mr. Plowden thought the time had come when, for the sake of the State, it was essential to effect some reduction of the Maharaja's authority. There is no doubt some justification for Mr. Plowden's estimate of His Highness's capacity for rule; but, on the other hand, the condition of the State does not seem to demand at present such decided action as Mr. Plowden has suggested. We have, therefore, determined not to resort to measures which would have the effect, directly or indirectly, of taking the power out of the Maharaja's hands, and His Highness will now have another opportunity of showing under favourable circumstances whether he is capable of carrying on the administration.

Enclosure 1 in No. 5.

REPORT on the Affairs of the STATE of JUMMOO and KASHMIR by the RESIDENT in KASHMIR, dated Sialkot, March 5, 1888.

EXTRACT.

I have had more opportunities of studying the Maharaja's character than perhaps any other officer in the country. My intercourse with him, official, private, and social, has been frequent; my relations with him have been always friendly; there has never been any friction or tension between us. He has never failed in personal courtesy to me, nor ever refused to see me at any time or on any occasion, therefore, I can fairly say that I am not actuated by any feelings of personal dislike towards His Highness.

I think, however, that the Government of India should be under no illusion as regards Maharaja Pertáb Singh. From first to last I have failed to discover in him any sustained capacity for governing his country, or any genuine desire to ameliorate its condition, or to introduce those reforms which he has acknowledged to be necessary. More than two years have passed since his accession, but not only has he achieved nothing, but he has opposed beneficial measures proposed by others. The progress made has been in spite of him. I do not believe he is loyal, but fortunately he is powerless to carry his country with him. And I am convinced that the Government will commit a serious mistake if it believes that the reforms which the country urgently needs will ever be effected by Maharaja Pertáb Singh. He will never, of his own free will, establish a capable and honest administration; nor, if any power of interference is left him, will he permit any administration appointed by the Government of India to carry on the business of the country. He will thwart and oppose it in every way he dares; the only restraint will be the limit of his power and his fears; therefore I do most earnestly advise that the Maharaja be made plainly to understand that he has had his chance, and that he will not be allowed any longer to stand in the way. I would assign him a liberal income, to be placed at his absolute disposal, and treat him with full honour as titular Chief; but I would exclude him from all real power. He may reign, but not govern. A great danger with the Maharaja is that his notorious weakness of character and purpose render him an easy tool in the hands of an unscrupulous adviser, and therefore it is essential that he should be controlled by some agency upon which the Government of India can place confidence. I consider that a reduction of the Maharaja's authority on these lines is an essential condition precedent to all other necessary measures.

Next, as to the form of Government. One plan is to appoint Raja Amar Singh Prime Minister, on condition of his undertaking to carry out in all respects the policy of the Government of India. He has not got sufficient experience or solidity of character to execute a task of this magnitude without the aid of a resolute and experienced adviser, and it would be necessary to constitute some such office as "Secretary to Government," and to nominate to it a suitable British officer—Native or European. I have great doubts whether Raja Amar Singh can be trusted, and, unless he has a strong officer at his elbow to keep him straight, I do not think it would be safe to employ him. He has never forgotten his father's intentions on his behalf, and the object he is working for is to become Maharaja of Kashmir. Once he gets power into his own hands, he will use it without scruple to attain this end. At present the Maharaja is friendly to Rája Amar Singh, because he wishes to break the bond which unites the two younger brothers and Díwán Lachman Dás, but there is no genuine affection or confidence between them; and the well-known fact that the late Maharaja would have liked to supersede Pertáb Singh in favour of his youngest brother is a special cause of jealousy. And I should expect that, after a short time, all the influence which the Maharaja possesses, especially Zenána influence, would be brought to bear against Amar Singh. Another probable result of his elevation would be a feud between him and his brother Rám Singh, thereby raising against him another hostile party.

Another plan is to bring in a Prime Minister from elsewhere. There is no one in the Maharaja's employ fit for the post, and the selection would need particular care. The situation is this: no Native could administer the affairs of Jummoo and Kashmir unless he is not only of exceptionally strong character but also exceptionally honest; and, in any case, he would require besides the full support of the Government of India. If a

weak man is chosen he will succumb to local intrigue, notwithstanding all the support which the Government may give him; and, if he is not honest, he will yield to the temptations with which the place abounds, and go with the swim. But, if a Native Minister is brought in from outside, I recommend precautionary measures being adopted with the young Rajas. I should order each of them to take up his residence in his own jágír, and so occupy the same position as Raja Moti Singh of Púnch. It is not right that these young men should be given large jágírs which they never visit. It ought to be a condition of the grant that they reside on their property and be personally responsible for its administration. They might pay yearly visits to Jummoo just as Moti Singh does. Another good result of this measure would be to lay the foundation of a class of Sardárs such as exist in the Rájpút States. As long as Raja Rám Singh continues to command the State Army there is no hope of any serious re-organisation; and, if Raja Amar Singh were to remain at Jummoo, he would not leave a stone unturned to render the Prime Minister's position untenable.

A third plan is to continue the existing Council, making the Resident its temporary head, and strengthening it by the addition of two selected Natives. An administration so constituted would probably be strong enough to introduce all needful reforms, and to set the country in order. Three years would suffice to set things straight, and the Resident might then withdraw from the headship of the Council, and an administration be established on ordinary Native lines.

I believe that, sooner or later, the Government will have to choose one or other of these three plans or some modification of them. But, whatever plan is adopted, there is one measure which must under any circumstances be prescribed. This is, first, the immediate removal of the band of incompetent, corrupt, and mischievous men who are at the bottom of most of the intrigues by which this unfortunate State is torn; and, secondly, the appointment of an adequate number of trained native officials on reasonable salaries who can be trusted to carry out the orders given to them. Until the entire Kashmir establishment has been recast, and honest and competent servants substituted for the fraudulent and incapable men now employed, no reforms can be carried out, nor can any mere alteration of the form of Government be of any use.

I will endeavour to anticipate an objection which I foresee is likely to be raised. The action suggested in this report brings forward the question of the amount of interference in the affairs of a Native State which may be rightfully and expediently exercised by the paramount Power. It is the settled purpose of the British Government to avoid unnecessary and improper interference in the affairs of Native States. And the basis of this policy is respect for the rights of others because our treaties with the principal Native States are founded upon their general independence in internal affairs. But, notwithstanding these treaties, cases must from time to time occur in which the Government of India as paramount Power is forced to interfere in a radical manner, and it does habitually interfere in a lesser degree. A reluctant interference which circumstances have rendered unavoidable does not, however, infringe the general principle of non-intervention. The question is whether in the case of Kashmir an instance of unavoidable interference has arisen. I submit it has. First, because mis-government producing evil consequences to the people has admittedly existed for many years, and, though a wide margin of time and opportunity has been allowed, there seems no hope whatever that the State, unaided, will be able to settle its own affairs. Secondly, the condition of Kashmir affects countries on its northern border beyond its limits, and thus becomes an injurious and disturbing element in the Imperial scheme of frontier defence. I advocate interference only so far as is indispensable for the accomplishment of the object aimed at, but I would interfere decidedly and effectually for this purpose. A strict adherence to the principle of non-interference implies that Government must also tolerate the local disorder and mal-administration which are bound to ensue.

Enclosure 2 in No. 5.

From RESIDENT IN KASHMIR to the SECRETARY TO THE GOVERNMENT OF INDIA, Foreign Department, dated April 21, 1888.

EXTRACT.

I HAVE the honour to enclose a kharita from His Highness the Maharaja to the address of his Excellency the Viceroy. I am not aware of the contents of the kharita, but I understand that it gives cover to a scheme for the reorganisation of the State Council.

I should be glad to be informed what is the rule in other Native States in respect to the transmission of kharitas, *i.e.*, whether or not the Resident is entitled to be furnished with a copy of the kharita or to be informed of its contents. The precedents in this State appear to show that the Resident is not informed in the first instance, but that the Government of India furnishes him with a copy together with the reply. But so short a time has elapsed since a Resident was first appointed in Kashmir that it can hardly be said that any binding usage has yet been established.

In the present instance I have asked His Highness to give me a copy of the kharita not only because the Maharaja expressed his intention of informing me of his proposals and of availing himself of my assistance, but because both under the instructions of August 1884 and under subsequent instructions the Resident is bound to offer his advice on all important matters, while on his part the Maharaja is required (kharita of 14th September 1885) "to consult the Resident freely at all times and to be guided "by his advice in carrying his views into execution."

KHARITA, dated Srinagar, the 13th April 1888.

From His Highness PARTAB SINGH, Maharaja of Jammu and Kashmir, to His Excellency the VICEROY AND GOVERNOR-GENERAL OF INDIA.

YOUR Excellency is already aware that circumstances obliged me to dismiss Diwan Lachman Dass, Prime Minister and President of the Council. As I think that the Council which was formed with your kind advice should be continued, I have prepared a scheme for its reorganisation which I beg to forward herewith to Your Excellency.

I beg to express the high consideration and esteem I entertain for Your Excellency, and to subscribe myself, &c.

JAMMU AND KASHMIR COUNCIL.

Constitution.

1. The Council shall consist of a President, a Vice-President, three Members, and a Secretary.

2. His Highness the Maharaja shall be the President.

3. His Highness shall appoint a Vice-President, Members, and a Secretary.

4. Three shall form a quorum.

5. The Vice-President, Members, and the Secretary may be removed and substituted by majority of votes of the Members of the Council, for reasons to be recorded.

6. The Council shall be a consultative one.

APPOINTMENT OF MEMBERS.

7. Raja Amar Singh is hereby appointed Vice-President, and Raja Ram Singh and Babu Nilamber Mukerji, Members, with Diwan Janki Prasad, Member and Secretary.

8. The Members shall represent the following branches of administration :—

1. Military.—Raja Ram Singh.
2. Judicial and Foreign Department.—Raja Amar Singh.
3. Revenue.—Babu Nilamber Mukerji.
4. Miscellaneous.—Diwan Janki Prasad.

9. The Vice-President shall also be the Prime Minister with executive powers.

10. The Vice-President and Members shall take the following oath :—

" I solemnly declare that in giving my opinion as a Member of Council, I shall keep in view the best interests of the State, and shall freely express my honest convictions, without fear or favour, and I shall not divulge any secrets of the State.

BUSINESS.

11. The Council shall sit three days in the week, authorised holidays excepted, and any extraordinary meeting shall be held, on the requisition of the Prime Minister.

12. It shall be the duty of the Council to legislate and hear and pass opinion on all subjects that may be brought forward by the Members.

13. The Council shall, on meeting, frame rules for its guidance, which may be removed or modified by it only.

14. All matters shall be decided on majority of votes.

15. Besides the matters which may be brought forward in the Council by the Members, the Prime Minister, who is the head of the Executive Government under His Highness, may refer to the Council for opinion all important questions affecting the administration in all its branches.

16. The respective opinions of the several Members shall be recorded and signed.

17. When a Member brings forward, or the Prime Minister refers, any special matter to the Council, it shall be the duty of the Secretary to furnish all the Members with a written statement of the subject-matter.

18. The office establishment shall be considered and settled by the Council on meeting

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Enclosure 3 in No. 5.

From the SECRETARY TO THE GOVERNMENT OF INDIA to the RESIDENT IN KASHMIR, dated Simla, July 25, 1888.

EXTRACT.

THE Government of India have decided to accept in principle the scheme which His Highness has put forward, and your own alternative proposals have for the present been set aside. In coming to this conclusion the Governor-General in Council has not overlooked the fact that the Maharajah's scheme is open to many objections, and that, partly on account of His Highness's personal character and partly for other reasons, it is not unlikely to prove a failure. But before sanctioning any measures which would have the effect, directly or indirectly, of taking all power out of the Maharaja's hands, the Government of India have felt that it would be just and right to allow the Maharaja a further opportunity of showing whether he is competent to discharge the duties of a responsible ruler. If after full and fair trial it becomes evident that he is wholly incapable of conducting the administration of the State the proposals which you have submitted will be reconsidered.

In the meantime I am to ask you to afford the Maharaja every assistance in your power with regard to the reorganisation of his Council and all other matters upon

which he may consult you. The Governor-General in Council does not desire you to press upon him your own views as to these matters. You should understand that the responsibility for the success or failure of the present experiment will rest upon the Maharaja; and your aim should be to meet his wishes in every possible manner, not refusing your advice when his Highness asks for it, but avoiding any course of action which might prevent him from feeling that the Government of India desire to allow him the fullest opportunity of proving his fitness. You should help His Highness as much as possible in doing this, but you should not insist upon the advantages of any measure which he disapproves, however desirable it may seem to be in his own interests.

You will notice that the Government of India have declined to permit the employment of Babu Nilamber Mukerji as member of council in charge of the revenue administration. If the Maharaja should raise the question of employing him in any other capacity, you may inform his Highness that the Government of India do not consider it desirable that the Babu should return to Kashmir. With reference to the question of principle whether the Maharaja is at liberty to employ Native British subjects without the consent of the British Government, you should give his Highness to understand that the interpretation of the treaty of 1846 with regard to this point is no longer open to discussion. The Government of India desire to give the Maharaja all possible assistance, and he will always find them willing to place at his disposal the services of competent British officials; but they must maintain their right to be consulted before any British subjects receive employment within the State.

The enclosed kharita points out to the Maharaja the urgent necessity for a thorough examination into the condition of the Kashmir finances. This is evidently a point of the greatest importance, and you should use your influence to bring it to the special notice of His Highness and his advisers.

The Governor-General in Council does not consider it necessary to give you more detailed instructions with regard to the course which you should pursue. He has no doubt that a consideration of this letter, and of the terms of the enclosed kharita, will suffice to show you the principles upon which he desires you to act, and he hopes that with the aid of judicious and sympathetic advice on your part the Maharaja may, before you leave Kashmir, have succeeded at least in laying the foundations of an efficient scheme of Government.

KHARITA, dated SIMLA, the 25th July 1888, enclosed in above.

From His Excellency the VICEROY AND GOVERNOR-GENERAL OF INDIA to His Highness the MAHARAJA OF KASHMIR.

I HAVE received your Highness's letter of the 13th of April, informing me of the dismissal of Diwan Lachman Dass, and forwarding, for my consideration, a scheme which you have prepared for the reorganisation of your council.

Your Highness's letter has received my most careful attention, and I have now to inform you of the conclusions at which I have arrived with regard to the very important questions which you have been good enough to refer to me.

In the first place, I cannot avoid informing your Highness that the news of the sudden removal of Diwan Lachman Dass was received by me with some surprise. Your Highness appointed him to your council after consulting me, and I hoped that your Highness would before making another change of Government give me some previous intimation of your views. However this point has already been brought to your notice by Mr. Plowden, and I do not now desire to dwell upon it any further.

With regard to your Highness's scheme for the future administration of Kashmir, I would ask you to consider the following observations.

Your Highness proposes that the administration should be conducted or assisted by a council consisting of a president, a vice-president, three other members, and a secretary. The presidency you would retain in your own hands. You would appoint your brother Raja Amar Singh to be vice-president, and you would also make him Prime Minister with executive powers. The other three members of the Council would be Raja Rama Singh, Babu Nilamber Mukerji, and Diwan Janki Persad; and they

would be charged respectively with the control of affairs in the military, revenue, and miscellaneous departments. The Prime Minister would have special charge of the judicial and foreign departments. Diwan Janki Persad would be secretary in addition to his other duties. It is proposed that the Council should be consultative.

It appears to me that a Government constituted in this manner is open to some criticism. In the first place, I am inclined to doubt whether it is altogether in accordance with your Highness's dignity to be president of the Council. Secondly, your Highness's brothers are still young, and have had little opportunity of acquiring practical experience in administrative work. Babu Nilamber Mukerji has no knowledge of revenue matters, and is altogether unfit to take charge of so important a department of the administration. Of Diwan Janki Persad I know little, but I understand that he is not a man of marked character and ability. Under these circumstances your Highness's scheme does not appear to me to hold out any certain promise of success.

Nevertheless, I do not desire to raise any objection to the principle of the proposed arrangements. I regard your Highness as the responsible ruler of the State, and I wish to meet your views as far as possible, and to afford you every assistance in carrying them out. If, therefore, your Highness prefers to maintain a Council and to assume the presidency yourself, I am ready to assent to your views in this matter, as also with regard to the nomination of your brothers and Dewan Janki Pershad. On one point only I feel that in your Highness's interests I must ask you to modify your proposals. I cannot think that the appointment of Babu Nilamber Mukerji as revenue minister would be desirable. I am of opinion that for the charge of revenue affairs, your Highness should secure the services of some thoroughly competent official with practical experience of administration. I also think that at least one other official of similar qualifications should be appointed to direct, either as member of Council or in some other capacity, the judicial and executive branches of your Government. If your Highness can name any Native officials in the British service who seem to me to possess the requisite qualifications I shall be glad to place them at your disposal. If your Highness cannot suggest any names I shall be ready and willing to make inquiries, and to supply you with the best men available either in the Punjab or elsewhere. I have learnt with pleasure that your Highness has already asked for the services of some four or five officers to be employed in the accounts and forest departments. But your Highness's government seems to me to require something more than the loan of a few subordinate officials. What is wanted is that you should associate with your principal officers two or three thoroughly trained and capable persons, who will be able to give your Highness effective aid in directing and controlling the main branches of the administration. I trust that your Highness will consider these suggestions and will take such steps as may have the effect of strengthening your government from an administrative point of view. I need hardly add that, with regard to this question and to all other questions of importance, Your Highness should freely consult the Resident, who will give you every assistance in his power.

In making these observations I do not overlook the fact that, since the appointment of the Council of which Diwan Lachman Dass was a member, considerable progress has been made in the direction of reform; useful work has been done with regard to the revenue administration, and in the reorganisation of the Public Works and Medical Departments. But much remains to be done, and it is because I am deeply conscious of the importance of the Kashmir State, and of the responsibilities of the British Government in regard to it, that I have so carefully examined the proposals which your Highness has put forward.

I would particularly urge upon your Highness's attention the necessity for a careful investigation into the condition of your Highness's finances, and of the executive and judicial services. Until these are placed upon a thoroughly sound footing it will be impossible to hope for any material increase in the prosperity of the State.

I desire to express the high consideration which I entertain for your Highness, and to subscribe myself your Highness's sincere friend.

(Signed) DUFFERIN,
Viceroy and Governor-General of India.

No. 6.

The SECRETARY OF STATE to the GOVERNMENT OF INDIA.

MY LORD, India Office, London, October 12, 1888.

I HAVE perused with deep interest the papers regarding Kashmir affairs which accompanied your Excellency's letter of the 18th August 1888. From them I learn that the instability of the several Administrations to which Maharaja Pertab Singh had entrusted the management of the affairs of his State since his accession in 1885 has much retarded the execution of the various reforms which have been repeatedly pressed on the attention of the Maharaja, and that, after the abrupt dismissal of the President of the Council, Diwan Lachman Das, in March last by the Maharaja, His Highness submitted for the consideration of your Excellency a scheme for the reconstitution of the State Council, in which the Maharaja proposed to assume the post of President.

2. Though this scheme of administration is open to many objections, part on account of the Maharaja's personal character, and for other reasons, and is not unlikely to prove a failure, your Excellency's Government have determined to allow His Highness a further opportunity of showing whether he is competent to discharge the duties of a responsible ruler.

3. Judging from the reports of the Residents in Kashmir, I can have little expectation myself that the experiment of a Council presided over by the Maharaja will be successful; but, on the other hand, the objections to any radical change in the Government of the province at the present juncture are such that I am willing to sanction your proposal to give the Maharaja another occasion of proving whether His Highness possesses either the capacity or the will to introduce and carry into effect those administrative measures which are essential to the prosperity and security of the Kashmir State.

I have, &c.
(Signed) CROSS.

No. 7.

The GOVERNMENT OF INDIA to the SECRETARY OF STATE FOR INDIA, dated Fort William, April 3, 1889.

EXTRACT.

In 1888 the condition of Kashmir was by no means satisfactory; and the Resident, Mr. Plowden, had come to the conclusion that so long as the present Maharaja was maintained in power there could be no hope of better things. He therefore urged the Government of India to interfere and exclude His Highness from all concern with the administration. There was much to support Mr. Plowden's view, and we were by no means confident as to the result of any further abstention from interference; but on the whole we decided that the Maharaja should have another opportunity of showing, under favourable circumstances, whether he was capable of ruling the State. He was accordingly continued in power; and Mr. Plowden, who soon afterwards left Kashmir on promotion, was succeeded by Colonel Parry Nisbet, C.I.E., a personal friend of the Maharaja, and an officer of large administrative experience. It was hoped that Colonel Nisbet might succeed in establishing a strong influence over His Highness's mind, in freeing him from the domination of certain unprincipled persons about him, who took advantage of his timidity and superstition, and in gradually bringing him to a proper sense of his position and its responsibilities.

This hope was disappointed, and, after four months in the Kashmir Residency, Colonel Nesbit has come to the same conclusion as his predecessor. The immediate

cause which led him to re-submit the matter for our orders was the discovery of some letters, said to have been written by the Maharaja, which were of such a nature as to present his character and conduct in a very unfavourable light. We were not disposed to attach any excessive importance to these letters, because we had received a number of very similar documents a year before, and were not ignorant of the Maharaja's failings. But in this instance the discovery of the letters was immediately followed by a voluntary resignation of power on the part of the Maharaja; and, taking into consideration this and all the other circumstances of the case, we felt that the time had come when some measure of interference could be no longer deferred. We have, therefore, determined that the Maharaja's resignation shall be accepted, and that we should avail ourselves of the opportunity in order to effect a thorough re-organisation of the Kashmir Government.

The form in which our interference is to be exercised will be seen from the terms of our instructions to Colonel Nesbit. To sum these up in a few words, the administration of the State will be handed over to a Council, consisting of the Maharaja's brothers and certain selected officials in the British service. This Council will have full powers, subject to the condition that they will take no important step without consulting the Resident, and that they will act upon the Resident's advice whenever it may be offered. This is the arrangement established in Gwalior, where it is working well. The Maharaja will be excluded from all interference with public affairs, but will retain his rank and dignity as Chief of the State, and will receive from the State revenues an adequate, but not extravagant, allowance for the maintenance of his household and any other necessary expenditure.

These arrangements will not be exclusively based upon the Maharaja's edict of resignation, which was an attempt to save his dignity and secure better terms than he could otherwise expect. This edict contains some inconvenient stipulations, and it would be embarrassing to agree to it as it stands. We prefer to treat it as a confession of incapacity for the rule of the State, and to base our further proceedings upon general grounds.

Your Lordship will observe that our instructions to Colonel Nesbit deprecate any interference in the affairs of the State beyond what is necessary for the reform of the administration. We greatly regret the necessity for any interference at all. But we are now convinced that in the interests of the people of Kashmir, and of the ruling family itself, it is no longer right or possible to leave the control of affairs in the hands of the Maharaja; and we trust that Her Majesty's Government will concur in this opinion.

Enclosure 1 in No. 7.

From Colonel R. Parry Nisbet to Sir H. M. Durand, dated Sialkot, February 27, 1889.

Extract.

The day before yesterday I had placed in my hands such reliable evidence as I have said invariably to those who have talked to me, would alone satisfy me of the disloyalty or utter imbecility of the present Ruler of Jammu.

This consists of a batch of 34 letters, in the Maharaja's own handwriting, some of which are so compromising as to leave, I submit, no course open save his removal from the State, unless the alternative theory be accepted of his being a half-witted individual, irresponsible for his own acts.

Of their authenticity I have, myself, no doubt, and they are admitted to be in the Maharaja's own handwriting by his brother, Raja Amar Singh; besides, a mass of letters like this are not likely to be forgeries in the way one or two might be.

But, side by side with these treasonable letters in this packet, there are others in an utterly foolish strain, thereby confirming me in the conclusion I have unwillingly come to, that, though with lucid intervals of good sense and propriety, the Maharaja is utterly incapable of being left in charge of his own affairs. The gist of these other letters is that the Maharaja offers large sums of money to certain individuals on condition that they will murder, or cause to be removed, Plowden, the late Resident, his own two brothers, Ram Singh and Amar Singh, and one of the Maharanis, who, for some reason, is personally objectionable to him.

These acts are not those of a man in such possession of his intellect as would justify Government in leaving him in uncontrolled charge of the most important frontier State.

The conclusions the letters lead me to are confirmed by certain rather extraordinary acts of the Maharaja in appointing unworthy and incapable persons to important offices of the State, even since I took over charge, without consulting the proper counsellor, or, in fact, any one at all. The thing is the Maharaja is a timid and very superstitious man at the entire mercy of a set of unscrupulous scoundrels who take advantage of his fears and imbecility to plunder the State to any extent, and there appear to me weighty reasons for advising the practical setting aside of the Maharaja's authority.

It surely is politically dangerous to leave the actual administration of this great State in the hands of an individual who may play us false at any moment without, perhaps, appreciating the disaster that would follow, and, I believe, any steps Government may take short of annexation will be right and necessary, and generally approved by the Princes and Chiefs of India.

Under the circumstances stated I think it is necessary for me to come to Calcutta at once on hearing from you, to talk the matter fully over with you, so that you may be in a position definitely to settle the future policy of Government towards the State.

Enclosure 2 in No. 7.

From the Resident in Kashmir, Sialkot, to the Foreign Secretary, Calcutta.

Telegram.

March 8, 1889.

I start to-morrow for Calcutta. I have been last two days at Jammu, and Maharaja has himself proposed what will, I think, solve the difficulty of the existing situation of affairs. He asked to be allowed to form a new Council of State, constituted of his two brothers, with Pandits Suraj Kaul and Bhag Ram, and an English officer selected by the Government of India, the Maharaja surrendering entire control of public affairs to such Council for five years.

Enclosure 3 in No. 7.

From Colonel R. Parry Nisbet to Sir H. M. Durand.

Kashmir, March 13, 1889.

I send you the original edict (with translation) and the official letter handed to me by the Maharaja of Kashmir containing His Highness's application to be relieved of the management for a time of State affairs in order to redeem the past.

I trust this voluntary offer on his part may afford, with perhaps further conditions, an acceptable way out of no doubt a very acute difficulty.

As the Government of India have carefully refrained as long as was possible from any sort of interference in the direct management of the affairs of the Kashmir State, so I

think now a direct appeal to do so cannot be ignored, and that there should be no hesitation in adopting the best and most complete measure likely to bring about the reforms necessary.

Sub-enclosure.

From RAJA AMAR SINGH, President of Council and Prime Minister to His Highness the Maharaja of Jammu and Kashmir, to Colonel R. PARRY NISBET, C.I.E., Resident in Kashmir, Jammu.

March 8, 1889.

I HAVE the honour to submit, for information of yourself and the Government of India, the original Irshad of His Highness the Maharaja by which he abandons his direct management of the Jammu and Kashmir State for a term of five years, and desires that it may be performed by a Council of State consisting of his brothers, Raja Ram Singh and Raja Amar Singh, and three other members, one of whom to be an English officer of special experience and qualifications selected by the Government of India, and other two members will be

Pandit Suraj Koul and Pandit Bhag Ram.

2. I am directed to request that you will kindly furnish me with a certified copy of the Irshad, if you want to keep the original in your office.

3. I am further directed to request that you will move the Government of India for early nomination of an English officer to serve on the Council of State as proposed in the Irshad.

Sub-enclosure.

MY DEAR BROTHER RAJA AMAR SINGH,

IN the interests of the "State" and for better administration of the country, and with a view to remodel it, as near as possible on the English system, I hereby authorise a Council, the members of which, for period of five years, will conduct all the public affairs of the State as they think best. The members will be as follows:—

Raja Ram Singh and Raja Amar Singh,

An English member, specially selected by the Government of India on a salary Rs. 2 or 3,000 per month.

Rai Bahadur Suraj Koul and Rai Bahadur Bhag Ram.

This Council will have full and sole powers in all the Public Departments of the State for a period of five years.

In the event of a vacancy occurring among the three last members during the prescribed period of five years, the Government of India will be asked to nominate a new member.

After the expiration of the said period of five years the Maharaja will have the power of re-organising the administration if he finds it necessary to do so.

This period of five years will count from the date of this edict.

The Council will not interfere in any way with the private affairs of the Maharaja.

The Maharaja will continue to draw his monthly allowances for his privy purse as hitherto, no change whatever being made.

The jagirs and other grants of immovable, movable property hitherto made by the Maharaja will hold good and the Council will not interfere.

All usual expenses connected with marriages and other family customs will be provided by the "State."

Of my two brothers I will myself appoint one as President of the Council.

During the said period of five years the Maharaja will not interfere and will have no voice in the administration of the public affairs of the State, but he will continue to enjoy the honorary rights and position of Maharaja.

The Council have no power to alter existing treaties without the previous approval of the Maharaja.

The Council will have no power to assign jagirs or immovable property of the State or to make new rules on such subjects without the consent of the Maharaja.

Signed and sealed by His Highness the Maharaja
on 27th Bhagan 1945 = 8th March 1889.

Seal of the "State."

Enclosure 4 in No. 7.

Instructions from Government of India to Resident in Kashmir, dated April 1, 1889.

Extract.

I am to request you to inform the Maharaja that for a time at least he will be expected to refrain from all interference in the administration. He will retain his rank and dignity as Chief of the State; but full powers of government will be vested in a Council consisting of the Maharaja's brothers and three or four officials selected by the Government of India. It is not thought desirable that one of these officials should be an Englishman. The President of the Council will be Raja Amar Singh. Besides retaining his rank and dignity the Maharaja will receive from the revenues of the State an annual sum sufficient to maintain his household in due comfort, and to defray any expenditure which may rightly devolve upon him; but he will have no power of alienating the State revenues, and the sum placed at his disposal, though adequate, must not be extravagantly large.

I am further to request you to make the Maharaja and the Members of Council thoroughly understand that, although the Council will have full powers of administration, they will be expected to exercise those powers under the guidance of the Resident. They will take no step of importance without consulting him, and they will follow his advice whenever it may be offered.

In communicating to the Maharaja and others concerned the decision of the Government of India, you should be careful to avoid basing that decision exclusively either upon the letters or upon the Maharaja's resignation. The letters are repudiated by the Maharaja, and as I have said before they are not of a very novel character; while on the other hand the Government of India are by no means prepared to make the present settlement a matter of compact with the Maharaja, and to accept all the conditions laid down by his edict of the 8th March, for example the five years' limit. You should therefore base the decision of the Government upon a full consideration of all the circumstances, the letters and the Maharaja's wish to retire from the control of affairs being considered amongst other things, but only as portions of a difficult and complicated case, which it has been necessary to settle on broader grounds of general policy.

You should now proceed to work out fresh proposals upon the lines I have indicated. It will be necessary in the first place to define exactly the future position of the Maharaja, the amount of his annual allowance, the expenses which it is intended to cover, the extent of his powers over his own household, and generally the conditions to which he will have to conform. It will also be necessary to show the proposed constitution of the Council, the duties falling upon each of its members, and the method of transacting business. You should also ascertain the requirements of the State in the matter of subordinate officials, and should submit for the approval of the Government your view as to the steps to be taken for re-organising the administrative services. In

forming those views you should remember that the Government of India has no desire to turn Kashmir into the semblance of a British district, or to place all administrative posts in the hands of Punjabi foreigners. The want of good native officials makes it necessary to import some trained men from the outside, but the number so imported should be kept as low as possible, and your object should be to form with their help a class of Kashmiri officials who will be capable hereafter of administering the State themselves. It is altogether against the wishes and policy of the Government to interfere unnecessarily with the customs and traditions of a Native State, or to force upon it the precise methods of administration obtaining in British territory. Administrative efficiency is not the only object to be attained in such cases, nor indeed the principal object.

The Government of India will be glad to know, as soon as possible, the true facts as to the financial position of Kashmir. A separate report should be submitted on this point, and in submitting it you should inquire into the question of the jagirs and allowances given by the Maharaja, and should make proposals as to the manner in which such grants should be treated.

Finally, I am to request that the new arrangements may be introduced as quietly as possible. There should be no ceremonial, and nothing that can be regarded as the public degradation of the Maharaja, who should simply retire from the conduct of affairs. It is desirable that the change should attract no more attention than necessary, and above all, that it should not be regarded as the punishment of a great native Chief for proved disloyalty to the Crown. Rumours to the effect that the Maharaja has been convicted of treasonable practices have already been in circulation, and such rumours do harm both in India and elsewhere.

No. 8.

The SECRETARY OF STATE FOR INDIA to the GOVERNMENT OF INDIA.

My Lord Marquis, India Office, London, May 24, 1889.

From the papers transmitted with your Excellency's letter, dated 3rd April 1889, I learn that the further opportunity which was given to His Highness the Maharaja of Kashmir of proving whether he was capable of conducting the administration of his State has once more established his unfitness for the position of ruler.

2. You have, therefore, decided to accept the Maharaja's voluntary resignation, and to effect a thorough re-organisation of the Kashmir Government.

3. In accordance with this determination, the administration will be entrusted to a Council, consisting of the Maharaja's brothers and certain selected Native officials in the British service. This Council will have full powers, subject to the condition that they will take no important step without consulting the Resident, and that they will act upon the Resident's advice whenever it may be offered. The Maharaja will be excluded from all interference with public affairs, but will retain his rank and dignity as Chief of the State, and will receive from the State revenues an adequate, but not extravagant, allowance for the maintenance of his household and any other necessary expenditure.

4. Her Majesty's Government fully approve your proceedings, and share your conviction that in the interests of the people of Kashmir, and of the ruling family itself, it has become impossible to leave the control of affairs in the hands of the Maharaja.

I have, &c.
(Signed) CROSS.

No. 9.

From the GOVERNMENT OF INDIA to the SECRETARY OF STATE FOR INDIA, dated Simla, July 26, 1889.

EXTRACT.

IN continuation of our despatch of the 3rd April, and in further reference to the condition of affairs in Kashmir, we have the honour to enclose copies of the papers noted in the margin.

Demi-official letter from Colonel Nisbet, dated the 19th April, 1889, and enclosure.
From His Highness the Maharaja of Kashmir, dated the 14th May, 1889.
To His Highness the Maharaja of Kashmir, dated the 28th June, 1889.
Report of the Settlement Operations in Kashmir and Jammu by Mr. A. Wingate, C.I.E.

We take this opportunity of expressing the satisfaction which it has given to us to be made aware that the course which has been adopted in dealing with this question has met with your Lordship's approval. The events which have taken place since our decision was arrived at, have not led us to modify in any way the opinions which we formed at the time. The Maharaja's allegation that the edict of the 8th March last was signed by him under compulsion is, we believe, entirely unjustified by the facts of the case. The circumstances under which His Highness requested that he might be relieved from active participation in the duties of government are set forth in detail in paragraph 8 of the Viceroy's letter of the 28th June, 1889.

We have, on the other hand, no doubt that His Highness's action in requesting the permission of the Resident to retire from the management of public affairs for a term of years, may have been due to fear of the consequences which he, at that time, apprehended from the discovery of the correspondence, of which copies have been already laid before your Lordship.

Now that His Highness has ascertained that the action of the Government of India has been justified upon other grounds, and that the correspondence in question has been treated with comparative indifference, it is quite possible that His Highness regrets the somewhat precipitate proposal which he made to the Resident. The fact that he should have preferred such a request, and immediately receded from it, affords, in our opinion, further proof of the slight amount of reliance which can be placed upon his character as a ruler.

We are glad to report that we are receiving from the Resident satisfactory accounts of the progress which is being made by the new Council in improving the administration of the State. A large portion of the arrears due to the army have already been paid. We need scarcely dwell on the danger which was likely to arise to the public safety from the existence of a large and ill-disciplined military force, which had, for some months past, been allowed to remain without the pay which was due to it.

We learn that, in the same way, heavy arrears of salaries have been made good in all the departments, a condition indispensable to honest and diligent service of a kind which for many years past has, we fear, been too rarely rendered by Kashmir officials. Public works, the progress of which was seriously threatened owing to want of funds, are being actively pushed on. Much unnecessary expenditure has been curtailed, and the Resident expresses his belief that if the next harvest should prove to be a good one, and suitable measures be taken for the recovery of the land revenue, the close of the year will see the establishment of a financial equilibrium in the accounts of the State.

It is in our opinion scarcely possible to overrate the importance of the results likely to be produced by a period of upright and efficient administration in a country circumstanced as is Kashmir, and with its antecedents. It has been the painful duty of the Government of India from time to time to call the attention of the Secretary of State to the chronic misgovernment to which the people of Kashmir have been subjected by the present Maharaja and his predecessor. It had become evident before the accession of the present Maharaja that the only hope for the State lay in a vigorous attempt to remove the most flagrant of the abuses under which, in spite of the great natural resources of the country, its population had steadily dwindled, and its people had become impoverished to the point of chronic scarcity. At the time when the death of the late Maharaja was imminent, the Government of India entertained the gravest

doubts whether the present Maharaja, then heir-apparent to the throne, was fit to succeed to it.

The circumstances under which it was determined to give him an opportunity of proving his fitnesss are within your Lordship's knowledge. Our experience of him has shown that neither his abilities nor his inclinations are likely to bring about any appreciable improvement in the condition of the people committed to his charge.

In this connexion we may refer your Lordship to the report of the Settlement Operations in Kashmir and Jammu, submitted by Mr. A. Wingate, C.I.E., C.S., Settlement Officer, to the Maharaja in 1888. This report, of which a copy is attached to this despatch, contains abundant evidence to show that most of the abuses continued to prevail unchecked. Under the system of assessment in force the cultivator of the soil had, as Mr. Wingate points out, been pressed down to the condition of a coolie cultivating the State property at a bare subsistence allowance, while the population continued to diminish, and the former occupants of the land were being steadily ousted from its possession, which was passing into that of the official classes, who have been enriched at the public expense. This transference of the land from the cultivating to the non-cultivating classes had, in Mr. Wingate's opinion, been proceeding with increased rapidity since the death of the late Maharaja, from which date the central authority appears to have become weaker. The artisan classes whose skill and industry are well known, appear to have shared the ruin of the cultivating classes.

We have thought it our duty to dwell briefly upon this subject, because the supersession of the Maharaja appears to have been regarded in many quarters as the result of a selfish desire on the part of the Government of India to extend its influence in Kashmir, and possibly to prepare the way for the ultimate annexation of the State. We have, we trust, said enough to satisfy your Lordship that the consideration which has had most weight with us has been the responsibility, from which we cannot divest ourselves, of securing for the people of Kashmir a form of government less intolerable than that to which they have been subjected for many years past. The circumstances under which the destinies of Kashmir were handed over by the British Government for political considerations to an alien dynasty, increase, in our opinion, our responsibility for the condition of the country, and impose upon us an obligation, which we cannot ignore, of taking effectual steps in order to terminate the long period of suffering, mismanagement, and wasted opportunities through which the State has passed.

Enclosure 1 in No. 9.

From Colonel Parry Nisbet to Sir H. M. Durand.

(Demi-Official.)

Kashmir Residency, Srinagar,
April 19, 1889.

After arrival here on the 13th, I paid a visit of ceremony on the 15th to His Highness the Maharaja, which he returned on the 16th, but I refrained from discussing any business at these interviews.

On the 17th instant, accompanied by Captain Ramsay, I proceeded to the Palace at 11 a.m., and met His Highness the Maharaja in private Darbar. Those present besides the Maharaja, were his brothers, Rajas Ram Singh and Amar Singh, the two Members of Council, Pandit Suraj Kaul and Pandit Bhag Ram, Diwan Janki Pershad, an old official of the State, and Sardar Bup Singh, Governor of Kashmir. I informed His Highness the Maharaja without comment of the orders of the Government of India, dated 1st April 1889, and that he might be under no misapprehension, I, at the same time, handed to his Prime Minister, Raja Amar Singh, these orders in writing in the form of a letter, copy of which is annexed, as an answer to his No. 159, dated 8th March 1889, which is in the correspondence.

His Highness the Maharaja merely said—"I will consider the letter and return an answer." After some few minutes' conversation the interview closed. In leading me down the Darbar room the Maharaja again said—"I will think it over and give you an answer to what you have told me." I replied kindly "an answer is not required, as

" what I have communicated to you are the orders of Government. I will always come " and give you any further explanation you may wish," and we parted. I subsequently repeated to the brothers of the Maharaja that they should let him thoroughly understand that the communication made to him were the definite orders of the Government of India, which it was not necessary for him to answer.

On the 18th instant there was a first meeting of the new Council.

Sub-enclosure.

From the Resident in Kashmir to Raja Amar Singh, Prime Minister, Kashmir.

April 17, 1889.

With reference to your No. 159, dated 8th March 1889, I beg to inform you that the letter with its enclosure was laid before his Excellency the Viceroy and Governor-General in Council, who, after full consideration of the circumstances and the general condition of affairs in the Kashmir State for a long time past, has ordered me to inform His Highness the Maharaja that for a time at least he will be expected to refrain from all interference in the administration. He will retain his rank and dignity as Chief of the State, but full powers of government will be vested in a Council consisting of the Maharaja's brothers and three or four officials selected by the Government of India. It is not thought desirable that one of these officials should be an Englishman. Besides retaining his rank and dignity, the Maharaja will receive from the revenues of the State an annual sum sufficient to maintain his household in due comfort and to defray any expenditure that may rightly devolve upon him, but he will have no power of alienating the State revenues, and the sum placed at his disposal, though adequate, will not be extravagantly large.

His Highness the Maharaja and the Members of Council should thoroughly understand that, although the Council will have full powers of administration, they will be expected to exercise those powers under the guidance of the British Resident. They will take no step of importance without consulting him, and they will follow his advice whenever it may be offered.

Such are the orders of the Government of India, and, on my own part, I beg you will assure His Highness that it will be my endeavour to assist in carrying them out in the way I trust that may be most conducive to the happiness and benefit of His Highness and the State.

Enclosure 2 in No. 9.

From His Highness the Maharaja of Kashmir to the Marquess of Lansdowne.

Kashmir, May 14, 1889.

It is after great suffering and distress, and undergoing greatest contempt and taunt at the hands of my inferiors, that I have, with fear, decided to send the special message to your Excellency per bearer. Necessity and feelings of loyalty have obliged me to seek advice from your Excellency and take shelter under your Lordship's fatherly care. As advised by my late-lamented father from my very childhood, my heart is full of loyalty to the paramount power, and I am always ready to do all that can be desired by the blessed Government. Your Excellency is authorised to consider me as one of your Lordship's most faithful and humble servants. When my late father always considered it an honour to serve the Government loyally and faithfully, I should, and I do, consider it greater honour still to follow his example. All my country, treasury, army, even my life and blood, are at the disposal of the British Government and our Mother-Sovereign, the Queen-Empress.

I know very well that I have been extremely misrepresented before the Government of India through sources which had a show of reliableness, but this, alas! I have come too late to know, when my internal enemies, who are envious of my position, have succeeded to drive me to a very mean and pitiable position, and I implore your Excellency to release and save me from it, taking my destitute position in consideration. The recent allegations brought against me about secret correspondence with Russia, conspiring with Dalip Singh, attempt to poison the British Resident, Mr. T. C. Plowden,

and lots of stupid stories, did not affect my mind in the least, for I was under the impression that some special officer will be deputed by your Excellency's Government to inquire fully into the false charges, and thus I shall get the best opportunity of disclosing everything fully, and, through this source, be able to bring all facts to the notice of your Excellency, and have my secret enemies brought to book through your Excellency's kind sympathy. But to my greatest pleasure no notice was taken of those false letters, and all other stupid stories were taken as nonsense by the Supreme Power. After this was over, the following communication was sent by Colonel R. Parry Nisbet, Resident in Kashmir, to Raja Amar Singh, Prime Minister :—

From the RESIDENT IN KASHMIR to RAJA AMAR SINGH, Prime Minister.

SIR, Kashmir, April 17, 1889.

WITH reference to your No. 159, dated 8th March 1889, I beg to inform you that the letter, with its enclosure, was laid before his Excellency the Viceroy and Governor-General in Council, who, after full consideration of the circumstances and the general condition of affairs in the Kashmir State for a long time past has ordered me to inform His Highness the Maharaja that, for a time at least, he will be expected to refrain from all interference in the administration. He will retain his rank and dignity as Chief of the State; but full powers of government will be vested in a Council consisting of the Maharaja's brothers and three or four officials selected by the Government of India. It is not thought desirable that one of these officials should be an Englishman. Besides retaining his rank and dignity, the Maharaja will receive from the revenue of the State an annual sum sufficient to maintain his household in due comfort and to defray any expenditure that may rightly devolve upon him, but he will have no power of alienating the State revenues, and the sum placed at his disposal, though adequate, will not be extravagantly large.

2. His Highness the Maharajah and the Members of the Council should thoroughly understand that, although the Council will have full powers of administration, they will be expected to exercise these powers under the guidance of the British Resident. They will take no step of importance without consulting him; they will follow his advice whenever it may be offered.

3. Such are the orders of the Government of India, and, on my own part, I beg you will assure His Highness that it will be my endeavour to assist in carrying them out in the way I trust that may be most conducive to the happiness and benefit of His Highness and the State.

I remain,
Yours truly,
(Signed) R. PARRY NISBET.

And now your Excellency can judge what my position at present is, and how much I am slighted in the Darbar, my enemies staring with pride and triumph into my eyes very often and showing all possible contempt.

My chief enemy, and in the present circumstances enemy of the State, who has taken a fancy to become the ruler of the Kashmir State, and who envies my position since long time, is, I am sorry to say, my own youngest brother, Raja Amar Singh. It is only now that I have found him out in his true colours, and all doubts as to his ill-motive have been removed. Since the very day I succeeded to the throne, he caused to set afloat all sorts of rumours against me about my incapacity, insanity, &c., &c.

Many a time he was directly caught in conspiring against me. He encouraged, pecuniarily and otherwise, people connected with the press with the only object of their writing against my person, vilifying me, and causing to circulate the worst rumours against me. Having convenient access to Europeans, &c. &c., and the Residents, to which I never objected, having no suspicion regarding his doings, he filled their ears, as often as possible, with such black stories about me, directly and indirectly, thinking very well that his doing so will, in the long run, set the Government of India against me, and he will be proclaimed Ruler of Jammu and Kashmir territories in that case. To almost every Resident, and specially to Colonel R. Parry Nisbet, he appeared to be the most reliable and intimately connected informant, and all should have believed in what he said; and I have every reason to believe that all rumours which reached the Government against me must have been through this, and this source alone.

Being disgusted with his this unworthy conduct, and having ample proofs to silence him in his very face, I twice resolved to order him to remove himself to his jagir, and have nothing to do in capital. On both these occasions, being informed of my resolution against him, he entered my room, where was no one except him and myself, shedding childish tears, throwing his turban on my feet, imploring for mercy, promising all good-will and hearty loyalty for the future, and asking for pardon as my dear brother, humblest slave. After all, he was my youngest brother, very dear to me; his lovely young face is still liked by me, and on both of these occasions my blood was naturally warm for him, and I was completely moved by his entreaties, and pardoned him after all. To prove to him that my heart was quite in sympathy with him, and I truly loved him as my dear brother, I, at his request, bestowed upon him the rich jagir of Bhadderwa, in exchange to the comparatively poor Bisoli which he had got during the time of my late father, and again made him Prime Minister of all. But, as was known afterwards, he was never slow in conspiring against me, even then. Regaining my confidence twice, and knowing I was quite confident and entirely at ease from his side, he possessed redoubled power and influence in the State, which is natural, and every State official was made to believe and look upon him as my powerful assistant and adviser. All these advantages he brought in force against me for the gain of his one sole object in view above mentioned, and he was able enough to create a strong party of his own among my officials, giving them all hopes of future success and prosperity, in case they remained faithful only to him and join with him in overthrowing me and mine. This promise he has fulfilled now in promoting those who joined him, and degrading those, my sincerely faithful servants, who stood by me amidst all temptations.

Colonel R. Parry Nisbet, as soon as he was installed as British Resident at my Court, I looked upon him as my safe friend, and thought my difficulties were at an end, because I knew him to be one of the sincere friends of my father and good supporter to myself. I must also confess that for some little time in the beginning he was my sympathiser to some extent, but it is very difficult to say what made him entirely change his motives towards me and to fall in the very clutches of the very same secret and powerful enemy of mine, Raja Amar Singh. This sudden change must be as astonishing to all others as it was to me, so it is the most difficult task to investigate fully into the cause of this sudden change of his policy.

To overcome such difficulties as I was labouring under, at the hands of powerful intriguers who were using all sorts of influence within and without, that I asked for the loan of two well-experienced officers from the Government of India to act as my councillors, and I must express my deep and heart-felt gratitude for the kindness with which the Government of India conceded to my request. But excellent men as these were, they also changed their former attitude at once as soon as the Resident changed his, and I believe that they must have done so naturally, as they are more dependent upon the good-will of the Representative of the British Government, under whose employment they have spent almost all their life, and whom they owe all they have got, than myself, whom they are only lent to, so I was soon being made powerless.

At this juncture the brewing plot of the much-talked-of letters, alleged to have been written by me, was brought into force. Almost all the rumours about the source from which they are purported to have reached the Resident are false, and without any foundation whatever. Solely Raja Amar Singh was at the bottom of the whole thing. These letters are nothing but most daring forgeries, and there was none more daring than my blood relation, the Raja Amar Singh. I have every reason to thank heartily your Excellency's Government for considering and treating them beneath notice, &c. This news, when reached Jammu, gave much joy to all but to my brother Raja Amar Singh, and his party fellows, as, for instance, Sardar Roop Singh, the present Governor of Hakim-ila of Kashmir, Dewan Jankee Pershad, his Secretary, ex-Governor of Hakimala, Wazir Shibsaran, and Diwan Shibsaran, his own Prime Minister, and who has full power to do anything in the State, and many others to whom it gave excessive pain. I am sure, if the Government of India would have required witnesses, Raja Amar Singh had been the first to swear against me. He was even ready to accompany Colonel Nisbet to Calcutta to complete my disaster for ever. When he came to inform me of his intention, made according to order of Colonel Nisbet, to leave for Calcutta with the Resident at his desire, I questioned him as to what opinion he expressed about the letters before the Resident. In reply he admitted to have said only that the etymological letters resemble those of the Maharaja's handwriting, but the signatures are not quite so. Being startled and heartily pained at his this reply, I simply told him—"All right, Raja Amar "Singhjee. You can go to Calcutta with the Resident, if you like, but this was not

" expected from you. In your admitted deposition you have left nothing to destroy " me." On the other day he, I believe, with the consultation of the Resident, decided not to go, and told me—" As your Highness is not favourable to the proposal I won't go, not to displease your Highness."

With the information of these letters, and with the full confidence and strength of being supported by my own brother and his now strong party, Colonel R. Parry Nisbet dashed into my room at a fixed time and brought such a great and many-sided pressure in all solemnity and seriousness that I was obliged to write what was desired, rather demanded by him, in order to relieve myself for the moment, having full faith that your Excellency's Government will not accept such a one-sided view of the case, and that full opportunity will be given to me of defending myself. I never admitted the genuineness of these letters, and even an ordinary sense can find out that I could never write such nonsense as the letters are purported to contain. Do I not know the dangers of the change of Government? Do I not understand the value of a peaceful Government presiding over us all? Do I not know what security all the Native Princes of India now are enjoying from internal and external dangers? Do I not understand that my dominions are most safe under the benign British Government? Do I not understand that what then on earth can induce me to correspond with Russia? Who is in Russia to read Dogra Vernacular? Having been in possession of high honours and all regards from the British Government, and having got everything from being loyal to it, what more can I expect, or aspire to get, from a foreign power, where tyranny and despotism are well known to all? As to Dalip Singh (God forbid), if he ever happens to come here, who is in a more dangerous position to suffer from his wrath? That I would conspire with him, is to hit the axe at the very foot of my own existence. About the attempt to poison Mr. T. C. Plowden, I think Mr. Plowden himself must be the best witness. My administration in those days was vested in the Council composed of Dewan Lachman Dass, President, Raja Ram Singh, Military Member, Raja Amar Singh, member of all the civil affairs, and let them all sincerely say if they know anything about it. Raja Amar Singh, who was the chief adviser and general controller of all affairs, and under whose cunning guidance Dewan Lachman Dass used to act unknowingly, may support this charge—I cannot say but none other, not even one single soul in the whole State will ever stand a witness to this charge. Moreover, who is the fool in the world to commit such base conspiracies to writing? Suppose there was such foul conspiracy on my part, would not the whole thing have been managed orally? But I assure your Excellency with all sacredness that such an idea never occurred to me, in dream even. Although your Excellency's Government treated the letters as *beneath notice*, but my cruel enemies have got the fullest advantage that they expected. They are now full conquerors over my head, and under their feet trample me. What is my position now? Simply that of a dead body, even worse than that, for I am taunted every moment by some sort of disgrace and disregard or other. These inferiors and traitors, who only yesterday showed me every respect and bowed down before me, pass me now with contemptuous smile, and I constantly bear the destruction and degradation of all those, my faithful and old hereditary servants, who stood by me. Of course a dead body is unconscious of all these troubles, of which I am unfortunately not.

In his communication, dated 17th April 1889, to Raja Amar Singh, above quoted in full, the Resident says—" His Excellency the Viceroy and Governor-General in Council, " after full consideration of the circumstances and the general condition of affairs in the " Kashmir State for a long time past, has ordered me to inform His Highness the " Maharaja that, for a time at least, he will be expected to refrain from all interference " in the administration. He will retain his rank and dignity as Chief of the State, " &c., &c." Now to put it very plainly, I have never, up to this time, enjoyed complete independence of action in State affairs. Under such circumstances it has been very cruel indeed to hold me personally responsible for any maladministration and to punish me severely as a criminal. By the above order of your Excellency it is plain enough to understand that matters have been so represented as to prove that only *my* interference has brought about the state of affairs for which the Government of India has been obliged to pass such strictures upon me; whereas the case is quite the contrary. The man whose disloyal interference is the chief cause of all mismanagement, and who should have been severely punished, has got not only scot-free, but has been placed over my head, enjoying perfect satisfaction of having been successful in his wicked design. Had there been any other loyal and faithful Prime Minister of mine than Raja Amar Singh, he would have been expected to send in a suitable reply to the Resident's communication and saved me from the deadly disgrace which I have been subjected to;

but my brother, Raja Amar Singh, quietly submitted to it, and was extremely satisfied to see me thus disgraced, as it was really his own hearty intention to see me so.

What rank and dignity I can retain under such circumstances? My condition is worse than a deposed ruler, inasmuch as he is taken out to some other place where he does not witness the most insulting scenes. And as regards the stipend that I am allowed at the mercy of the Council and the Resident, such is given even to the treacherous enemies of the British, who massacred their regiments and are now imprisoned or kept safe as political prisoners in the hills. Certainly, if the alleged letters had been proved genuine still no worse fate would have befallen me. The present Council, not content with reducing me to such a state of distress, have now fallen upon all those who remained faithful to me. Not to go into full details, I will only say that Pandit Mahanandjee, Governor of Jammu, Pundit Zankak, Assistant Governor of Kashmir, Pundit Shibkak, Officer of Timber Department, Dussoundhiram, an honest Chief Judge of Jammu, and Pundit Paralal, officer of deciding the old balance accounts, and many others, have all been dismissed, with exception of Dussoundhiram, by one stroke of pen, on one plea and pretence or other, but really simply because they were sore in the eyes of Raja Amar Singh, and did not hear to his illegal recommendation and stood on my side. Their places are now being filled with such men who are notorious for their show of contempt to me.

If your Excellency really wants to make me responsible for the administration of the State (and I am very glad and quite ready to take such responsibility over my head), I would ask to be made responsible ruler. In spite of what has been represented against me about my incapacity, &c., &c., I would ask your Excellency to give me a fair trial in order to see what I am capable of doing for the furtherance of the interests of the Supreme Government and prosperity of my State. From three to five years' time, as I think it quite sufficient for me to put everything into order from the date of holding responsibility, provided I am allowed full strength and independence to choose my own councillors and ministers, and British Resident, instead of throwing obstacles in my way like Colonel R. Parry Nisbet, supports and strengthens my hands. This just Resident should be chosen by the Government of India. I shall always be glad and ready to seek his advice and sympathy, but in all matters concerning the State, &c., the Resident will have to consult me solely. For the present I would like to take Raja Ram Singh, Pundit Surajkaul, and Pundit Bhagram as my councillors (and remove Raja Amar Singh to his jagir), with full powers to add or diminish any one. If after a fair trial being given to me, I do not set everything (excepting the Settlement Department, which is under the guidance of Mr. Lawrence, and which will not be settled within five years) right, and am found not to rule to the satisfaction of the Supreme Government, and my people within the prescribed time, your Excellency's Government is at liberty to do anything that may be considered advisable. In case this liberty is not allowed to me by the Supreme Government, and I have to remain in my present most miserable condition, I would most humbly ask your Excellency to summon me before you, and I will be most happy to obey such summons and shoot me through the heart with your Excellency's hands, and thus at once relieve an unfortunate prince from unbearable misery, contempt, and disgrace for ever.

Awaiting your Excellency's commands, &c.

P.S.—The papers on which I write do not bear my official seal, and the reason that my English Office is in the hands of the Prime Minister, Raja Amar Singh. The English clerks have been detained by him, by the advice of the Resident, to write for me, and thus I write in my own handwriting, and do not think it advisable to use the sealed papers. I hope your Excellency will excuse me for my bad handwriting. The bearer of this petition is authorised to answer any inquiries or refer them to me.

Enclosure 3 in No. 9.

From His Excellency the VICEROY AND GOVERNOR-GENERAL OF INDIA to His Highness the MAHARAJA OF KASHMIR.

Simla, June 28, 1889.

I HAVE received your Highness's letter of the 14th May. It was brought to Simla by a person, deputed by your Highness for that purpose, who appears to have taken advantage of your confidence in order to publish in the newspapers part of a

confidential document which should not have been made known to the public at such a moment. I shall always be glad to hear from you should you desire to make me aware of your views, and I hope that you will, in future, forward your letters to me by the ordinary post, through which they will be safely delivered without the risk of any such indiscretion as that which has taken place in the present instance.

It is satisfactory to me to learn from your Highness that you are loyally disposed towards the paramount power, and that it is your desire to be guided by my advice. I shall give it to you frankly, and without any attempt to conceal my thoughts.

Your Highness has stated in your letter that your conduct has lately been completely misrepresented by your secret enemies; that Colonel Parry Nisbet, the British Resident in Kashmir, has dealt unjustly with you, and that your chief enemy has been your youngest brother, Raja Amar Singh. You suggest that the letter to Raja Amar Singh, signed and sealed by your Highness on the 8th March of this year, was written without due consideration, and in consequence of pressure put upon you by the Resident; you urge that you have never enjoyed sufficient independence of action in regard to the affairs of your State to enable you to give satisfactory evidence of your ability as a ruler; you beg that you may now be given a further trial, and, with this object, you virtually recede from the proposals contained in the letter to Raja Amar Singh, of which I have just spoken; and, in conclusion, you express, in the strongest language, your inability to submit patiently to the position in which you now find yourself.

I must point out to your Highness that the decision of the Government of India to relieve you of an active share in the government of your State was arrived at not only in consequence of recent events, but of circumstances which must be within your Highness's recollection, and which occurred some time before my arrival in this country. During the last years of the administration of my predecessor, the Marquess of Dufferin and Ava, extremely unfavourable reports had been received by the Government of India of the manner in which the affairs of Kashmir were administered by your Highness. The finances of the State were in disorder, a disorder which, there could be little doubt, was increased by your own extravagance, while your Highness had surrounded yourself by persons of the worst reputation, whose influence over you had produced the most unfortunate results. These complaints, which were made not only by the then Resident, but also by certain of the Princes and Sardars of the Kashmir State, were borne out by papers which were placed in the hands of the Government of India. These contained, amongst other matters, ample evidence to show that you were squandering the resources of your State in a most reckless and improvident manner, and in the encouragement of the most unworthy persons.

At this time the Government of India anxiously considered the course which it should adopt in reference to your Highness, and its decision was conveyed to you in the kharita of the Marquess of Dufferin and Ava, dated the 25th July of last year. In this letter Lord Dufferin pointed out to you the impropriety of your dismissal of your Prime Minister, Dewan Lachman Dass, who had been appointed after consultation with the Government of India, without reference to that Government. He strongly urged upon your Highness the necessity of a careful investigation of the condition of the finances of Kashmir, and of the executive and judicial services, and he intimated to you that he was prepared to accept, with certain modifications, a scheme which had been proposed on behalf of your Highness for the formation of a reformed Council, of which you were to be the President. The constitution of this Council appeared to Lord Dufferin to be open to certain objections, but, in deference to your Highness's wishes, he determined not to press these. He, moreover, expressed his readiness to supply you with a certain number of trained native officials who might be of assistance to you in strengthening your administration.

About this time, in order to meet your Highness's wishes, advantage was taken of the appointment of Mr. Plowden to another post, in order to appoint, as Resident in Kashmir, a gentleman well known to you, and regarded by you with feelings of friendship and confidence.

Looking back at these events, it is surely not too much to say that the result of the action of the Government of India in 1888 was to give your Highness, in the fullest sense of the term, a fair trial, such as that for which you now so earnestly ask. I am, however, constrained to tell your Highness distinctly that the results of that trial appear to have been of a most unsatisfactory kind. In the spring of this year my attention was called to the documents referred to in your Highness's letter; many of these had every appearance of being genuine, and they have, moreover, a striking resemblance to those other papers, of which I have already spoken, and which came into the possession of the

Government of India at a previous time. Your Highness is correct in expressing your belief that the action subsequently taken by my Government was not justified merely by the disclosures contained in these letters. Even if the whole of these had been unquestionably genuine, I could not bring myself to believe that they had been written deliberately, or with a full appreciation of their meaning. There were, however, other circumstances which the Government of India could not do otherwise than take into consideration. The reports from the new Resident of the manner in which your Highness had administered the State had been not less unfavourable than those submitted, from time to time, by Mr. Plowden. Notwithstanding the ample resources of your State, your treasury was empty; corruption and disorder prevailed in every department and every office; your Highness was still surrounded by low and unworthy favourites, and the continued misgovernment of your State was becoming, every day, a more serious source of anxiety.

This, however, was not all. A meeting had taken place between your Highness and Colonel Parry Nisbet at Jammu on the 7th March, and upon that occasion your Highness had distinctly stated that it was your wish to have no more to do with public affairs, and had asked the Resident whether he was prepared to assume, in conjunction with a Council, the management of the State. You repeated several times to the Resident that you were tired of the trouble which had been occasioned to you by official affairs, and that you would prefer to go away and to live in peace privately. At the termination of the interview, you stated that you would send your brother, the Prime Minister, Raja Amar Singh, to discuss the matter further with Colonel Parry Nisbet, and Raja Amar Singh, on the following morning, assured the Resident that you had made up your mind to give up interference with public affairs during the next few years. A further conference between yourself and the Resident took place on the following day. You still adhered to the language which you had used on the previous day, only stipulating that the Council was not to interfere with your private affairs. In the afternoon the Prime Minister brought to Colonel Parry Nesbit your edict constituting a Council of State, which was to include an English member, and which was to have "full and sole powers in all the public departments of the State for a period of five years," during which it was provided that "the Maharaja will not interfere, and will have no "voice in the administration of the public affairs of the State, but he will continue to "enjoy the honorary rights and position of Maharaja." This proposal, emanating directly from your Highness, could not be treated by my Government otherwise than as embodying your deliberate intentions and wishes; nor can I admit that you are now justified in describing the edict to which I have referred, as having been hurriedly written under pressure from Colonel Parry Nisbet, who, your Highness will remember, throughout these conversations, expressly pointed out to you that it would not be practicable for him to undertake the management of the State in the manner which you had suggested.

When your letter to Raja Amar Singh was laid before the Government of India, I felt that, in view of the circumstances which I have recapitulated, no other course was open to me than to accept in substance the proposal which you had made. In so doing, however, some important modifications were made in the original scheme. Amongst these I may mention my refusal to take advantage of your suggestion that an Englishman should be appointed to serve upon the new Council; such a step seemed to me to be unnecessary, and I determined not to take it. Again, instead of requiring that the new arrangement should last for at least five years, it was stipulated that it should continue for a time, of which the length was not specified. I may also remind you of the consideration shown to your Highness by the stipulation that your Highness should receive a suitable income from the State revenues, and that your rank and dignity should be reserved to you. That this has been done, has been amply proved by the respect shown to you by his Excellency the Commander-in-Chief on the occasion of his recent visit to your State.

What I have written will show to your Highness how it has come to pass that the Government of India felt itself obliged to introduce these changes for a time into the Government of Kashmir. The arrangement was arrived at after careful consideration, and with a full knowledge of facts, of which your Highness is well aware. I may add that, by last week's mail from England, I have received a letter from the Secretary of State for India, informing me that Her Majesty's Government fully approve the measures taken by the Government of India in April last, and share their conviction that, in the interests of the people of Kashmir, and of the ruling family itself, it has become impossible to leave the control of affairs in your Highness's hands.

It is idle to contend that all this has been the result of a conspiracy against you, in which the Resident, your brother, and the officials of the State, have all had a part. In your letter to me, you admit that you knew the Resident to be "one of the sincere friends of my father, and a good supporter of myself." You had yourself designated your brother, Raja Amar Singh, towards whom you felt the greatest affection, for the office of Prime Minister. The officers lent to you by the Government of India were, you tell me, excellent men, and they were supplied to you at your own request. If, however, I am to accept the statements now made by your Highness, it would be necessary for me to believe that Colonel Parry Nisbet, Raja Amar Singh, and the officers referred to, must all of them have changed their nature as well as their disposition towards your Highness within a few months. All these men were, I believe, ready to be your friends, but they have found that your conduct in public and private life was such as to render it impossible for them to co-operate cordially with you.

What I have said has reference to the past. For the future, let me earnestly entreat your Highness to show to the people of Kashmir, as well as to the Government of India, by bearing, in a dignified manner, the loss of power which you have sustained, and, above all, by not associating yourself wity local intrigues and conspiracies, or attempts to obstruct the Government, that you have not entirely lost the qualities of a wise and prudent ruler. The settlement announced in Colonel Parry Nisbet's letter of the 17th April to the Prime Minister is, as I have already pointed out to you, not necessarily a permanent one. Time will, however, be necessary, if the finances of the State are to be restored to order, and the results of past maladministration effectually removed. Until this has been done, the present arrangement must certainly remain in force. When these good results have been achieved, it may be possible to give your Highness a larger share in the control of the public affairs of Kashmir. Much would, in such a case, depend upon your own conduct in the meanwhile. You cannot, therefore, govern yourself too cautiously, or be too careful in selecting your associates and confidants.

I would also ask you to inform Raja Ram Singh, who has, I understand, accompanied your Highness to Jammu, that the Government of India cannot regard with indifference his continued absence from the Council of State. He holds the important post of Commander-in-Chief in charge of the Military Department, and his failure to attend to the business of this cannot do otherwise than produce the most serious results. Unless, therefore, he returns shortly to Srinagar and resumes the discharge of his duties, it will be necessary to make some arrangement for the transfer of those duties to other hands.

I will add only one word to what I have said above. Should your Highness at any time desire to address me in connexion with this, or other matters, it will always be agreeable to me to learn your wishes, or your opinions, and should you, at the present time, seek an opportunity of hearing from my own lips my views in regard to these questions, I shall at any convenient time be ready to receive you and to converse with you in a friendly and confidential spirit.

Enclosure 4 in No. 9.

PRELIMINARY REPORT of SETTLEMENT OPERATIONS in KASHMIR and JAMMU by A. WINGATE, Esq., C.S., SETTLEMENT OFFICER.

From A. WINGATE, ESQ., C.S., Settlement Officer, Kashmir, to His Highness the MAHARAJA OF KASHMIR AND JAMMU.

SIR, Srinagar, August 1, 1888.

I HAVE the honour to submit a Statement of Settlement Operations. Under the orders of the Government of India, I joined my appointment as Settlement Officer, Kashmir, on the 15th January 1887, and at once set about engaging establishment, and arranging for measuring instruments, stationery, and other requisites. On the 18th February I was requested to undertake the settlement of the Jammu Districts in addition to Kashmir. Consequently this report will comprise two sections, the one treating of Kashmir and the other of Jammu. The Kashmir season extends from April to November; in Jammu, work can continue uninterruptedly. This report, therefore, will give an account of the first season's operations in Kashmir, and of the first year's opera-

tions in Jammu; but the chief object of the report will be to obtain authoritative decision as to the lines upon which the settlement should be made.

KASHMIR.

2. After completing my arrangements for establishment, a matter of some difficulty, I reached Srinagar on the 8th April 1887. Colonel Wace, Financial Commissioner, Punjab, had been good enough to interest himself in the welfare of Kashmir, and through his instrumentality, the services of Lala Narsingh Das were lent to the Kashmir settlement in the capacity of Assistant Settlement Officer, and four other officers were selected from the Punjab establishment to act as Deputy Superintendents. On the 15th March, I succeeded in getting a suitable head clerk; Lala Narsingh Das joined me on the 6th May, and the last deputy superintendent shortly afterwards. Instruments and stationery sufficient to commence with had arrived, a code of rules and forms for settlement papers were prepared, a system for accounts was arranged, and the details of the subordinate establishment to be locally entertained were decided upon. Meanwhile the Deputy Superintendents were engaged in testing the maps of villages already surveyed. Preliminary arrangements.

3. Before my arrival, during a series of years, some portion of the valley of Kashmir had been measured. The work was not done in any systematic manner, for I believe hardly any tehsil was quite complete, while there are few tehsils in which some villages have not been measured. I did not anticipate that the papers prepared would be of much use, and when I saw the bundles of scraps which purported to be village records, I was not, therefore, disappointed; but I was in great hopes that the maps, which looked well, would turn out to be sufficiently accurate to leave only the Khationi, or statement of holdings, to be prepared before the work of settlement could be entered upon. I accordingly selected the two tehsils of Phâk and Lâl, which had been recently measured, and the maps of which were asserted to be superior to the work of any other part, for test. I arranged a plan of testing and an establishment to make the field register. Diwan Lachman Das in Jammu had stated that, in his opinion the maps would prove useless, and I gathered that the inaccuracy of the work was such that the revenue authorities had never attempted to make any use of the records so expensively compiled. Nevertheless I clung to the expectation that though the measurement might be careless, it would be sufficiently good to enable me to base a settlement upon it. I moved into camp on the 25th May and began testing the villages that the deputy superintendents had been overhauling. It was at once evident that the measurers had been left entirely without supervision, and consequently any individual map depended upon the capacity of the Ameen. This was not so bad, and I thought we might soon find out which Ameens could be trusted and what men's work we should have to reject, so that we should divide the maps into good and bad, with an intermediate lot that would require correction. But as I went on behind my chain, I was puzzled to find that after an hour's fairly satisfactory work that raised my spirits, the map and the ground suddenly lost all correspondence. The same thing repeated itself in other villages. And I scarcely threw a chain across a village in any direction without being thus suddenly lost without warning. The reason was not far to seek. The supervising officer lived in Srinagar. The Ameens frequently used some underling to do the measurement and jotted down the results on slips of papers. From these pencil notes maps were neatly drawn, mostly in Srinagar. It thus often happened that figures became illegible, or their relation to each other was forgotten, but the drawing was never interrupted. When the Ameen had got to his boundary, inconvenient surplus measurement was omitted, or if any blank area remained, a field or two were added at sight. Occasionally this imaginary sketching might be due to the desire to make the boundary line of one village fit into that of its neighbour. Character of former survey.

4. As soon as I discovered I had not to deal with a measurement that was simply careless, but with maps that were more or less fabricated, I decided that further testing was useless. It might be possible to ascertain the portions of the work which were trustworthy, but it would involve a field by field test at a cost very nearly if not quite as great as remeasuring, with the disadvantage that when all was done, the maps would be much disfigured and one could never be certain that a faulty portion had not escaped notice. I communicated my opinion to the Prime Minister, and he concurred with me, and at a subsequent interview with your Highness, it was finally decided to reject the old work in its entirety. No one attempted to challenge the assertion that the work was untrustworthy, though I offered to accompany any officer the Darbar might depute in the interests of the former survey to make quite sure that the ten villages I had selected were a fair sample of the whole. I considered it no part of my duty to do more than Rejection of the previous measurement.

reject work which was not suitable to my purpose, and when people found that I concerned myself solely with what I was responsible for, alarm subsided. So far from the cultivators being annoyed as I thought they would be at having their lands re-measured, I found they were as dissatisfied with the mapping as I was. All this preliminary testing took some time, but I felt the responsibility of rejecting what it must have cost a large sum of money to prepare, and it was the first of June, therefore, before we commenced measurement on our own account.

System of measurement adopted.

5. I adopted the system recently introduced in the Punjab of demarcating squares before beginning field measurement, a system which if more expensive is very convenient and popular, though only suited to flat ground. Where the ground is uneven, I have used the triangulation system. Seeing that the diagonal of the square is always measured, the square system is practically a triangulation of triangles of equal size, and therefore the difference really is that in the square system the triangles are equal and check each other with the inconvenience that once started the corners or sides of the squares will not admit of being shifted to suit the ground; while in the triangulation system, triangles can be of any suitable size and shape, and measurement is, therefore, quicker, but there is not the same facility of check. The side of the square measures 200 karms or 1,100 feet, and the area of a square is, therefore, 27 acres, 3,764 square yards and 4 square feet.

Area measured in first season.

6. The following table gives the work done in the tehsils of Phâk and Lâl month by month :—

Month.	Average No. of Plane Tables.	No. of Squares demarcated.	No. of Fields.	Area in Kanals.	No. of Villages completed.
June 1887 - - -	51	637	1,448	10,066	9
July „ - -	57	451	5,616	52,967	14
August „ - - -	71	500	6,793	65,252	28
September „ - - -	83	486	7,881	78,712	29
October „ - - -	98	708	13,886	1,28,789	38
November „ -	91	571	15,837	1,56,318	75
Total -	75	*3,353	51,461	4,92,104	193

* Besides 340 triangles.

or shown according to tehsils :—

Tehsil.	Average No. of Tables.	No. of Squares.	No. of Fields.	Area in Kanals.	Villages completed.
Phâk - - - -	40	1,345	30,300	2,60,025	100
Lâl - - -	35	2,008	21,161	2,32,079	93
Total -	75	3,353	51,461	4,92,104	193

The length of the chain is 55 feet, divided into 10 karms, each $5\frac{1}{2}$ feet long. The maps are drawn to a scale of 40 karms, or 220 feet, to the inch. The area is measured in kanals, the square measure being :—

9 square karms = 1 marla = $272\frac{1}{4}$ square feet = $30\frac{1}{4}$ square yards.
20 marlas = 1 kanal = 5,445 square feet = 605 square yards.
8 kanals = 1 ghumao = 4,840 square yards = 1 acre.

The area measured in the two pargannahs in the six months was, therefore, 61,513 acres; Phâk is said to contain 118 and Lâl 145 villages, or 263 villages in all, including five Rakhs or grass preserves. As 193 villages were completed, 70 remained to be done, of which 15 were in progress when operations closed for the season. Of the 55 villages not begun, 13 are alienated, and may not require measurement. Every effort was made to complete the two tehsils before winter, but owing to the delay in collecting establishment and in training measurers locally recruited, I was unable to effect my object. I estimated that about 1,50,000 to 1,75,000 kanals remain to be measured.

7. The local land measure of Kashmir is based upon a seed measure:— **Local weights and measures.**

4 manwatas = 1 trak.
16 traks = 1 kharwár.

One trak contains six local seers of 76 local tolas per seer. 76 local tolas are usually held to be equivalent to 72 imperial tolas. One kharwár of 16 traks or 96 local seers is, therefore, equal to 86 seers and 32 tolas imperial weight, at 80 imperial tolas per seer, or 2 maunds 6 seers and 32 tolas, or eight tolas less than 173 lbs. This weight, however, is not universal. For example, in Shapeyan I am told the seer weighs 80 local tolas instead of 76. Popularly one kharwár of *sháli*, or paddy, is said to be sown to one kharwár of land, but the amount of seed required varies with the soil and the tillage. Two kharwárs of seed is not an uncommon allowance. Rice lands being the most important are generally intended when discussing the area of the kharwár, for of course with every crop the amount of seed varies. Maharaja Goláb Singh, I am informed, first fixed a standard kharwár, and this standard is now in common use and well understood. The chain adopted was one of 45 feet or 4½ feet to the karm,* which gave a ghumao of 3,240 square yards. Six of these ghumaos made one kharwár, or 19,440 square yards. In allotting land to chakdars and other applicants for waste areas, this measure was used. The chain, however, was not a popular one with the cultivators, and it had the disadvantage of making the kharwár 80 square yards more than 4 acres, and thus complicating calculations. I desired a chain that would be familiar in the Jammu Districts and at the same time would as nearly as possible represent the Kashmir kharwár. Fortunately the 55 feet chain meets both requirements, for it is one well-known in the Punjab, and therefore has been readily accepted by the Jammu cultivators, and it fits the kharwár conveniently, for it makes a kharwár equal to 19,360 square yards, or exactly 4 ghumaos, or 4 acres. I have to thank your Highness for intimating to me your disapproval of the 45 feet chain, because it was unpopular, and requesting me to use the Punjab chain, because this remark led me to seek the advice of Colonel Wace, and of the several Punjab measures he recommended the chain I have adopted, and it suits both the Jammu and Kashmir cultivators.

8. The maps are drawn on cloth-backed paper divided into five-inch squares corresponding to the demarcation of the squares on the ground. For this paper I am indebted to the courtesy of the Punjab settlement authorities, as also for supplying text books of mensuration, notation, &c. for distribution to the measurers. In accordance with the Punjab custom, the measurement is by holdings and not by fields. This reduces the total of field numbers, and consequently diminishes the amount of writing required for the khasra, or field register, and the khationi, or statement of holdings. As roads, nullahs, &c. are also only permitted one or two numbers each, the multiplication of numbers is prevented, and what are known as "goshas," or sub-divisions of the area of a number, are avoided as far as practicable, slight inaccuracies of area being preferable to the expense and delay attendant on too great devotion to detail. The chief papers prepared are the khasra, or field register, with its abstract; the khationi, or statement of holdings; a statement of water-channels; another of lands held wholly or partially assessment free; and a crop-inspection return. Lists of chakdars and other privileged holders, and of sales and mortgages are also made. No attempt is being made to collect statistical information, as the people get apprehensive. For example, with a view of getting a rough idea of gross produce, I examined the contents of one rice-stack and then wished to count and measure all the stacks in the village. Finding, however, this proposal caused quite a commotion among the villagers, who regarded it as a preliminary to sending more of their *sháli* to Srinagar, I desisted. In a year or two we shall be able to do anything, but at present the cultivators are a little timid. **Forms of settlement records.**

9. The measurement and all papers are tested on the spot as the work progresses, and consequently no office establishment is entertained for testing field work and the papers will not require fairing. This necessitates a somewhat more expensive supervising establishment than would otherwise be required, and the outturn measured per Ameen is considerably less; but it obviates a very heavy subsequent outlay, and I am indebted for the suggestion to Colonel Wace. In considering, therefore, the establishment entertained, the amount of work done, and the expense incurred, it must be borne in mind the whole work is done on the spot, and the villages completed and sent into office are in all respects finally attested beyond such examination as I or my assistant **Details of establishment.**

* A chain of 42½ feet has also been in use.

subject them to for our own satisfaction over and above our field testing. The establishment, as it stood towards the close of the year when at its strongest, may be briefly stated to be as under:—

Settlement Office	1 head clerk	at Rs.	80 P. M.
	2 clerks	„	25 „
	1 jamadar	„	9 „
	3 chaprasies	„	7 „
	3 khalasies	„	6 „
	Total monthly cost		178
Assistant Settlement Office	1 assistant settlement officer	„	300 „
	3 clerks	„	12 to 18 P. M.
	3 chaprasies	„	6 P. M.
	2 messengers	„	5 „
	Total monthly cost		374
Deputy superintendents, 4	2 deputy superintendents	„	70 „
	2 do.	„	60 „
	4 clerks with above	„	8 „
	5 messengers with above	„	5 „
	Total monthly cost		332
Munserims, 15	9 munserims	„	25 „
	6 do.	„	20 „
	Total monthly cost		345
Measurers, 91	8 measurers	„	20 „
	10 do.	„	18 „
	17 do.	„	15 „
	9 do.	„	12 „
	15 do.	„	10 „
	32 do.	„	8 „
	Total monthly cost		1,085
Chain drawers, 91		„	5 „
	Total monthly cost		455
Khasra Navisés, 86	73	„	6 „
	13	„	4 „
	Total monthly cost		490
	1 map colourer	„	25 „
	1 carpenter	„	13 „
	Total monthly cost		38
Contribution to pension and travelling allowance, &c.		„	168
	Grand total monthly cost		3,465

The services of one additional deputy superintendent at Rs. 70 and of two munserims at Rs. 35 were subsequently lent, but as they joined too late in the year, they were set to work in the Jasmirgarh tehsil of Jammu. During the season of 1888 it is proposed to utilise all five deputy superintendents in Kashmir, and to raise the number of measurers, if possible, gradually to about 200. On the other

hand, Khasra Navises have been dispensed with as it is found the class of men available are of no real assistance. For measurers from the Punjab, the rates of pay are from Rs. 12 to Rs. 20, and for Kashmiris from Rs. 8 to Rs. 15. With the increase of measurers, the Assistant Settlement Office will also require strengthening. The attempt to utilise Patwáris failed in both Kashmir and Jammu owing to the want of support from the district officials. And in a Native State my experience is that no one department will help another, and that till we have introduced a settlement and so got the confidence of the villagers and control over the accounts no help worth having need be expected, notwithstanding any orders that may be issued.

10. The actual expenditure from the commencement of operations to the 31st March 1888 is given below in imperial rupees, and, for convenience sake, the Jammu expenditure is also shown. The cost of Khasra Navises and chain drawers is included under measurers :— Details of expenditure.

Head of Expenditure.	Kashmir.			Jammu.			Total.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Settlement Office	1,802	5	2	—			1,802	5	2
Assistant Settlement Office	3,478	0	3	750	9	0	4,228	9	3
Contingencies	888	12	0	271	5	0	1,160	1	0
Stationery	774	7	6	—			774	7	6
Instruments	3,372	9	9	102	12	0	3,475	5	9
Advances	800	0	0	220	0	0	1,020	0	0
Deputy Superintendents	2,932	6	5	2,357	14	4	5,290	4	9
Munserims	1,843	10	0	1,583	5	7	3,426	15	7
Measurers	8,821	12	9	6,050	2	9	14,871	15	6
Repayments	70	10	3	53	4	0	123	14	3
Office Mapper	45	0	0	39	10	3	84	10	3
Total	24,829	10	1	11,428	14	11	36,258	9	0
Deduct double entries	828	5	6	382	1	8	1,210	7	2
Total actual expenditure	24,001	4	7	11,046	13	3	35,048	1	10

Measurement began in Jammu in April, and in Kashmir in June 1887; and closed in Kashmir at the end of November 1887, and in Jammu at the end of March 1888. The Jammu establishment consisted of only one party till November 1887, when, as already stated, a deputy superintendent from the Punjab began working, and in December the Kashmir establishment moved down. The cost of the head office, of stationery, and of instruments has not been divided as complicating accounts without object. The instruments were got from the Roorkee workshops, and we have now 205 chains of excellent make, light and strong. The chains manufactured at Jammu of only half the length I found weighed several pounds heavier than the Roorkee full chain and were of very soft iron. Similarly I was obliged to condemn all the brass scales made at Jammu as the markings were so inaccurate as to produce error in the mapping. On the other hand I find plane tables and cross-staves can be made up cheaper locally and are quite as serviceable.

11. The following is a sketch of the establishment I propose to maintain during the current year, and which, with a little alteration, will probably continue until measurement is finished :— Budget estimate for current season in Kashmir.

Settlement Office	1 Head clerk	at Rs.	80	P. M.
	2 Clerks	,,	25	,,
	1 Jamadar	,,	9	,,
	3 Chaprasies	,,	7	,,
	3 Khalasies	,,	6	,,
	Contingencies	,,	40	,,
	Provision for increase	,,	50	,,
	Total monthly cost	Rs.	268	

Assistant Settlement Office	1 assistant settlement officer	at Rs. 300	P. M.
	Contribution	„ 50	„
	Travelling allowance, &c.	„ 90	„
	1 clerk	„ 40	„
	2 clerks	„ 16 & 20	„
	2 janch moharrirs	„ 25	„
	3 chaprasies	„ 6	„
	2 messengers	„ 5	„
	Contingencies	„ 100	„
	Total monthly cost	Rs. 694	
Deputy superintendents, 5	2 deputy superintendents	at Rs. 80	P. M.
	3 „ „	„ 70	„
	5 clerks with above	„ 8	„
	5 janch muharrirs with above	„ 12	„
	10 messengers with above	„ 5	„
	Contribution to pension	„ 75	„
	Total monthly cost	Rs. 595	
Munserims, 25	2 munserims	at Rs. 35	P. M.
	5 „	„ 30	„
	18 „	„ 25	„
	Total monthly cost	Rs. 670	
Measurers, 150	35 measurers	at Rs. 20	P. M.
	65 „	„ 15	„
	25 „	„ 12	„
	15 „	„ 10	„
	10 „	„ 8	„
	Total monthly cost	Rs. 2,205	
Chain drawers, 150		at Rs. 5	P. M.
	Total monthly cost	Rs. 750	
Mappers, 2		at Rs. 25	P. M.
Carpenter, 1		„ 13	„
	Total monthly cost	Rs. 63	
	Grand total monthly cost	Rs. 5,245	

which for eight and a half months gives	Rs. 44,583
Add stationery and mapping papers	„ 2,000
Cost of moving establishment from Jammu to Srinagar	„ 750
Contingencies at Rs. 5 per cent.	„ 2,367
Grand total	Rs. 49,700

Remarks on the above.

12. A few remarks on this budget estimate are necessary. It will be observed that it is based on the assumption that 150 measurers will be employed. There are difficulties in the way of increasing this number, and if we maintain this average, it will be twice as many as the average of last season, and perhaps that is all we can safely attempt this year. I have made provision for raising the pay of the deputy superintendents by Rs. 10 per mensem, two from 1st November 1887, and the remainder on completion of one year's service. The reasons for this increase are, that the work of a deputy superintendent will be harder this year as he will have charge of a larger party,

that he is exposed to petty annoyances and to various hindrances in his work which render his position less agreeable, and that to several the existing pay is not sufficiently attractive to induce them to stay where directly they have got things into working order in one part of the country they are required to undertake a long fatiguing journey and begin again in another part. As the printing is done at the State Press in Jammu, I have not budgeted for that expense.

Estimated cost of measuring the Kashmir Valley.

13. The next point is to consider for what period this establishment is likely to be required, and that depends upon the area to be measured. I regret to say that my materials for framing an estimate are both scanty and vague, for I have not been allowed access to the State revenue accounts, and I can get nothing but copies of lump sums without details. With trustworthy figures it is possible to make a working estimate. For example, in Meywar, I estimated the minimum area to be measured at 2,085 square miles, and the maximum at 2,602 square miles, and I thought 2,252 square miles might "be reasonably reckoned upon." We actually measured 2,325 square miles, and therefore my nearest estimate was within 73 square miles of the truth, and the mean of my maximum and minimum was only 18 square miles out. I will do my best with the figures at my disposal for Kashmir, but without being permitted to examine the accounts in original I can feel very little confidence in the result.

Probable maximum area of Kashmir Valley.

14. According to the village lists, as nearly as I can make out, 425,353 kanals measured in Phâk and Lâl represent Rs. 114,725 worth of revenue. But in every tehsil a lump sum is set down against "*chakwalas*," about whom more will be said presently, and as we measure up "*chaks*" with the villages in which they are, it is probable part of this lump sum belongs to the area measured. In Phâk, this lump sum amounts to Rs. 2,948, and in Lâl to Rs. 5,209. Dividing these sums according to the proportion of villages measured and unmeasured, I find 425,353 kanals more probably represent Rs. 120,367 of revenue. The total revenue of the valley (*vide* Statement A. appended) is given at Rs. 2,572,000, and if Rs. 120,367 are produced from 425,353 kanals, then Rs. 2,572,000 ought to represent 9,088,900 kanals, or 1,136,112 acres, or 1,775 square miles. This, I should think, must be the maximum. Mr. Drew estimates the valley to be 84 miles long and 20 to 25 miles broad, and the area to be 1,800 to 1,900 square miles. This area includes the Wular Lake, and, therefore, although we add the cultivated strips in the Sind and Lidar and other minor valleys, I do not think the measurement returns are likely to exceed a total of 1,775 square miles. This surmise is the more probable in that Phâk and Lâl are tehsils below the average of productiveness, for they only give an average of Rs. 754 per village against a general average of Rs. 1,034, and so it is probable that in other tehsils a less area produces more revenue.

Probable minimum area.

15. The list referred to shows 2,487 villages, from which, deducting 25 for "*chakwalas*" the true total is 2,462. Another return gives 2,508 villages. In this valley a village may be anything at the pleasure of the tehsildar, and the list includes gardens or orchards, grants of land to individuals, grass rahks, and indeed every item of revenue separately entered in the accounts even down to units bringing in less than Rs. 10 of annual income. But accepting the figures as they are, we find 449,963 kanals in 193 villages measured, allow 2,332 kanals per village, which for 2,462 villages would give a total area of 5,741,384 kanals, or for 2,508 villages a total area of 5,847,187 kanals. That the total area must be considerably more than this we know, because the 193 villages measured in Phâk and Lâl include most of the small villages leaving a good many large villages to measure, and, therefore, the average of 2,332 kanals to a village is too low. What we know to be the case is confirmed by the revenue, for I calculate that the villages measured only produce Rs. 676 per village in Phâk instead of the tehsil average of Rs. 835, and in Lâl only Rs. 638 instead of Rs. 686. Comparing the amount of revenue which, I believe, belongs to the villages still unmeasured with the revenue allotted to the villages measured, it is possible that the two tehsils may contain $\left\{\begin{matrix}\text{Phâk} & 353,800 \\ \text{Lâl} & 331.524\end{matrix}\right\}$ 685,324 kanals with over 70,000 khasra numbers. The calculation is rather disturbed by Rs. 22,304 being set down against the combined village of Partabgarh-Ranbhirgarh* in Phâk. But taking the total area to be 685,324 kanals, this would raise the average per village to 2,656 kanals, which, for 2,462 villages would

* This so-called village is, I believe, a large area of land which was given out in *chaks*, and which, owing to the consequent loss of revenue, the then governor confiscated some years ago, and grouped the resumed *chaks* under one name.

give 65,39,000 kanals, or 8,17,384 acres, or 1,278 square miles, and I do not think the area for measurement can be less than this.

Probable area for measurement.

16. Taking the mean of the maximum and minimum areas indicated by such figures as are at present available, I reckon 78,14,000 kanals, or 9,76,750 acres, or 1,526 square miles as the probable area for measurement. When the tehsils of Phâk and Lâl are complete, we shall be able to correct this estimate. As far as we have gone, I find that 49 per cent. of the area measured is cultivated. Therefore, we may say that at least one-half the area to be measured is cultivated. I should mention that as it would not only be impossible but useless to measure the mountains, instructions have been issued to carry the measurement up to the foot of the hills to the point where cultivation ceases, and there to make a temporary boundary which is shown on the map by a broken line. There are also some *Jaghir* or alienated villages which will probably not be measured. A list of 258 such villages has been furnished to me.

Probable average outturn per measurer.

17. Assuming that there are 78,14,000 kanals to be dealt with, the probable cost of measuring the land and preparing the village papers has next to be ascertained. Neglecting the first month, when little was done, from July to November 1887, we employed an average of 80 Ameens per month, costing Rs. 4,554 for the five months for their pay only, and doing 4,92,100 kanals. This gives a monthly average cost of Rs. 911 per mensem, and an average output of 98,420 kanals per mensem. Per Ameen the cost was Rs. 11½ per mensem, and the output 1,230 kanals. The first season's work is, however, always inferior to the remainder, and it will be fairer, therefore, to take only the two last months, October and November 1887, when the machine was beginning to work more easily. In these two months, the average output was 1,42,550 kanals per mensem, at a cost of Rs. 1,036 per mensem, and 94 Ameens were working. The average cost per Ameen was here Rs. 11, and the output 1,516 kanals per mensem. If we are given a fair field, I do not think we can do worse than this, and, therefore, this may be adopted as our basis for an estimate. The highest pay for a measurer is Rs. 20 per mensem, and if for Rs. 11 we have got 1,516 kanals, then for Rs. 20 we should get 2,757 kanals, say 2,800 in round numbers. If we employ 150 measurers, I calculate the average pay will be Rs. 15 per mensem, and for this pay we ought to get 2,100 kanals per mensem, and to this standard, unless opposition is offered, we ought to work. In Meywar, where we paid at fixed rates per 100 acres cultivated and uncultivated, we were able to turn out an average of 748 acres per mensem per Ameen for Rs. 16 per mensem. But there we had a trained body of professional Ameens from the North-West Provinces, instead of the scratch lot of measurers we have succeeded in getting together here, two-thirds of whom are ignorant and lazy. There, however, we had only 25 per cent. of cultivation, and here we have 50 per cent. with a large extent of rice lands that are most tedious to measure, the chain having to be lifted over the water by three men. Marshes, water-courses, and bogs are also serious obstacles. Under these circumstances, in Kashmir, the same class of Ameens might be able to turn out only 15 instead of 25 acres a day, or 450 acres per mensem for Rs. 16. The standard I am trying to secure provides for only 280 acres per mensem for this sum. But then the Ameens are required to write the khasra neatly in bound books so as to avoid "fairing," and also to prepare the khationi, and all tests being done in the field, their time is more taken up by supervising officers. A further reduction must be made on this account. Although we measure by holdings and not by fields, yet I reckon we shall have about 800,000 khasra numbers, which again is a much larger number than we had in Meywar. This would give an Ameen between 200 and 300 numbers a month to write up the papers for, and my assistant considers this would take four days. Then a man on daily pay will not work on holidays as he does when at contract rates, and so five days must be allowed for holidays. So that at 15 acres per diem for 21 working days, the outturn per Ameen per mensem might fall to 315 acres per month, or about two-fifths of what he could do in the plains. My assistant thinks that so much cannot be expected from the class of men engaged here without sacrificing accuracy. I propose, therefore, to combine the following scale of work with the daily wage :—

	Rs.
2,800 kanals per mensem to be required from a man on - -	20 p. m.
2,100 " " " - -	15 "
1,680 " " " - -	12 "
1,400 " " " - -	10 "
1,120 " " " - -	8 "

18. If this scale can be worked up to, then with 150 measurers, the monthly outturn should be something as follows :— Probable outturn of work each season.

		Rs.		Rs.			Rs.	
35	measurers at -	20	p. m. costing	700	p. m. should turn out	-	98,000	kanals.
65	,, -	15	,, ,,	975	,, ,,	-	1,36,500	
25	,, -	12	,, ,,	300	,, ,,	-	42,000	
15	,, -	10	,, ,,	150	,, ,,	-	21,000	
10	,, -	8	,, ,,	80	,, ,,	-	11,200	
150				2,205			3,08,700	

I fear that under the peculiar circumstances of Kashmir necessitating a break-off every winter, we must count for losing a fortnight at the beginning and end of each season, so that we must reckon the expenditure for $8\frac{1}{2}$ months and the outturn for $7\frac{1}{2}$ months. At this calculation, we ought to get, taking 3,00,000 kanals per mensem in round numbers, 22,50,000 kanals for each season's outturn, or 2,81,250 acres, for a cost of Rs. 18,742 for measurers. At this rate, the cost of measuring 78,14,000 kanals would be Rs. 65,000, and the work would take 30 months or $3\frac{1}{2}$ seasons. There remains the cost of superintendence to be added.

19. The following is the best estimate I can make of the total cost of a settlement of the valley of Kashmir, assuming that it contains about 1,526 square miles, and that I have to carry it on hampered by the present want of sympathy in the district staff:— Estimate cost of the settlement.

		Rs.					Rs.
(1.)	Settlement Office at - -	300	per month for	60	months	=	18,000
(2.)	Assistant Settlement Office at -	750	,,	60	,,	=	45,000
(3.)	Deputy superintendents at -	650	,,	36	,,	=	23,400
(4.)	Munserims at - -	700	,,	30	,,	=	21,000
(5.)	Measurers - -	as above	,,	30	,,	=	65,000
(6.)	Chain drawers at - -	750	,,	30	,,	=	22,500
(7.)	Mappers at - -	100	,,	48	,,	=	4,800
(8.)	Instruments - -	-		-		=	4,500
(9.)	Stationery - -	-		-		=	10,000
(10.)	Statistical Office - -	-		-		=	18,000
(11.)	Expenses of transit - -	-		-		=	4,300
(12.)	Contingencies at 5 per cent. -	-		-		=	11,600
	Total -	-		-		-	2,48,100

For instruments, 200 sets at Rs. 20 per set, cost about Rs. 4,000, besides flags, &c., and, therefore, Rs. 4,500 will be required. Under stationery is included mapping paper, village papers, printing, &c., and Rs. 10,000 is a very moderate sum and may possibly be exceeded. I have taken it at Rs. 2,500 per annum for four years. The statistical office has not yet been begun. It will compile the village papers into general statements for each tehsil, and will prepare the assessment papers and the new jamabandis. It is impossible to say what this may cost till I have had more experience of what papers will be necessary, but I have assumed for purposes of estimate that Rs. 500 per mensem for three years will be sufficient. The entire cost of the Settlement Office, of the Assistant Settlement Office, and of instruments and stationery has been thrown into the Kashmir estimate because the bulk of our work at present belongs to Kashmir. The share of expenditure under these heads debitable to Jammu can be allotted hereafter. By next year I should hope that the present rough estimate could be converted into one very nearly approaching accuracy, because we should have got together data on a sufficient scale to avoid serious error. Meanwhile, I venture to think that the expenses of settlement operations will not exceed two and a half lakhs of rupees, and of this sum we shall not expend more than Rs. 50,000 to Rs. 60,000 per annum.

20. A few words now on the lands to be measured. The valley may be described as an alluvial plain through which the Jhelum, fed by numerous streams, large and small, finds a tortuous and placid course. At the upper or Islamabad side, and generally where streams debouch on the plain, the water is carried over the ground by innumerable channels. Below Srinagar, as the level falls, swamps occur which terminate in the large Classification of lands.

Wular Lake. At various points elevated fans or mounds, called kharewas, spread out from the hills into the valley, generally with clearly marked edges, standing up from the plain like a coast line from the sea. The surface of these elevations may be level or sloping down from a height, and if water is available, is more or less irrigated. Where the ground passes into the side valleys, the soil ceases to be alluvial. These features explain the first division of lands known to the cultivators. These are (1) "*ábi*" or irrigated, (2) "*sambhú*," or sailáb, (3) "*nambal*," or swampy, and (4) "*khúshki*," or dry.

(1.) Irrigated lands.

21. (1) Under the first head are included all lands which can be irrigated, and these are divided into three classes, (*a*) *ábi sháli*, or rice lands, those which grow rice year after year, and which for the most part could produce no other crop; (*b*) also rice lands, but of inferior quality and requiring either an occasional fallow, or a sowing of some other crop to rest the soil; (*c*) "*ábi ságazár*," or "*maliari*," lands which are put under special crops, as vegetables, chillies, tobacco, &c. The first class includes all the irrigated alluvial soil of the plain with the lower portions of the side valleys; the second class is generally kharewa land, and its inferiority is frequently due to the inadequacy of the water supply; of the third class, there is a little in every village, but round Srinagar the cultivation is important. This class is mostly irrigated by lift, being on the edges of the Dall Lake, and the suburbs are consequently full of dip-wells, called "*Dinglis*," the long poles of which are a feature wherever these garden-lands prevail.

(2.) River-bank lands.

(2). Under the second head, or "*sambhú*," come the river-bank lands, sometimes extending some little distance feom the river; these are flooded annually or at longer intervals and retain sufficient moisture and nourishment to produce excellent crops without irrigation or manure. Such lands grow no rice, but almost any other crop can be raised and specially makki and til-gogal. Lands under this head and under the next following, are liable to damage from over-flooding.

(3.) Swampy lands.

(3). Under the third head, falls all swampy land, from the richest soil to a marsh always covered with water. (*a.*) When naturally or artificially drained, makki, til-gogal, jaw, wheat and other crops grow well, and they are independent of rain. This class is called "*nambal khushki*"; (*b.*) when the water does not dry up, or if it does, still leaves the soil a moist mud, rice is the only crop, but it grows luxuriantly. This is called "*nambal sháli*." Neither of these classes are ever irrigated; (*c.*) lands which are too swampy to produce anything but grass and reeds are called "*nambal banjàr*." No distinction is made between "*ábi ságazár*" and "*nambal ságazár*," the latter only being found on the edges of the Dall Lake.

(4.) Dry soil lands.

(4.) Under the fourth head come all the dry lands proper, and here many sub-divisions are recognised. Of these it will probably be sufficient to note distinctions which influence the cultivation. Of "*dofasli*" or double-cropped land, there is hardly any, whether wet or dry, except the "*maliári ságazár*" lands. The chief division is, therefore, into Rabi and Kharif, lands chiefly reserved for wheat, barley, til-gogal, sarson, and the like, or lands growing the numerous rain crops. Even apart from the "*sháli*," the Kharif harvest is more important than the Rabi. Inferior lands, which are mostly high and sloping ground, are thrown into a class by themselves. There are apparently only two soils worth taking notice of, and these are the blackish or alluvial loam of the valley and the reddish soil of the hills. Lands capable of producing "*kesar*," or saffron, form a special class, as does also the floating cultivation of the Dall Lake.

Remarks on the grouping of villages.

22. For settlement purposes, I think the division I have indicated sufficiently detailed, and for differences in the value of lands, I would propose to depend upon situation. I hope it will be unnecessary to multiply rates. I doubt if it will be worth while to distinguish between "*ábi sháli*" and "*nambal sháli*" similarly situated, or between "*sailáb*" and "*nambal khushki*," or between Kharif and Rabi where the conditions are the same. But it will probably be essential to differentiate "*sháli*" in the rich alluvial plain from *sháli* on the kharewas and from *sháli* in the elevated regions of the side valleys, and to distinguish between villages which enjoy plenty of water and those which get little. As a preliminary step, the villages are being divided into those which are on the plain and those which are in the hills. Of the former, there are four chief groups, (1) those irrigated by canals and "*siráb*," or near the water-supply and so having plenty of water; (2) those similarly irrigated, but "*paiáb*" or at the tail of the channels, and so getting a limited supply; (3) villages, chiefly "*nambal*"; (4) dry-soil villages, including those with very little irrigation. The hill villages mostly fall into three groups; (1) those at a very high elevation and so producing only inferior crops; (2) those irrigated by canals and with abundance of water, but sowing and harvesting liable

to be retarded by great cold; (3) those with similar advantages and lower down, and only slightly inferior in soil and climate to the plain villages.

Except for the "*maliári-ságazár*" lands, for which one special rate will probably suffice, the rest of the irrigation, including with it "*nambal*" land, is practically all *sháli*, and for this I should suppose as far as my inspections have gone that one rate, or at the most two, would satisfy each group of villages. The cultivators of course point out several distinct blocks of land in each village, and if we were going to put on a rack rate it would doubtless be necessary to observe more carefully, but with a fair all round rate minor differences in fertility may be neglected with the certainty that once the assessment is announced the cultivators will be quite content.

Difficulty ascertaining current rates of assessment.

23. To decide what the current rates for *sháli* are is a particularly difficult task, for I can discover very few cases of land held at either cash or produce rates; the so-called cash assessments did not attempt to fix rates; the peculiar position of the kashmir cultivator prevents any chance of getting at the truth by the plan of much questioning; prices are almost non-existent, as will be presently described; and to ascertain what the previous collections have been in any village is a task I am attempting, but no where in India has the plan of preparing accounts to conceal the truth and baffle inquiry been brought to a higher degree of perfection. It would be a great help if I could get hold of the original Tehsil accounts for the last few years instead of being left to flounder among the scraps of paper a patwari reluctantly produces from the folds of his garments, and of which I am told he has seldom less than three editions, one for himself, which may be supposed to be near the truth, one for the Tehsildar, and another for the villagers, the two latter being prepared with a view to convincing each side of the excellent bargain he has secured.

Crop experiments.

24. I am almost shut up therefore to the very unsatisfactory plan of crop experiments, and as these require much care and supervision, they must necessarily be few. Last year six plots of rice were selected, and of these I was present at the threshing and weighing in all but one, and there my assistant superintended his own experiment. As the intention was to get an idea of what the best class of land in the best villages in various situations in the two Tehsils under survey could produce, the plots selected were neither close to a village nor distant from one, and they were not one specially good bit, but taken from the best part of the main block of rice cultivation, other similarly good crops being on all sides. Neither proximity to a village nor manure much affect the outturn. The villages are not only small, but the houses are scattered, and though farmyard manure is used, it is not carefully collected Patches of cultivation inside a village are called "*wár*," and home fields are known as "*gámdu*." Near Srinagar the lands are exceptionally valuable, and for the "*maliári ságozár*" cultivation round the Dall Lake, and for the floating melon beds, &c. manure is largely used, but speaking generally I should say both home-lands and manure may be neglected from a settlement point of view. Farm-yard manure is applied to rice lands, but so far as observation has gone the manure goes to the weak soils. The experiments made corresponded with what I have been told, for in the two experiments in which manure had been applied, the outturn was much less than in the other four where no manure is ever needed. When rice fields become unproductive, the favourite method of renovating them is by cutting turf sods from waste land in the vicinity and working these into the soil. It will be necessary to inquire what soils require manure or the application of fresh surface soil, and to ascertain what effect is thus produced upon the outturn, but so far as I have seen at present lands that require no assistance will prove to carry the highest assessment. It cannot now be profitable to use manure, for it is not collected as it would be if it had value. With a view to illustrating my remarks on "*chakdars*" and other privileged land holders later on, it will be convenient to append here a statement showing the results of the crop experiments made during the first season. The lands selected grow *sháli* regularly year after year, and have a full supply of water.

STATEMENT of CROP EXPERIMENTS in October 1887.

No.	Class of Land.	How cultivated.	Water-supply.	Kind of Rice.	Area of Experiment.		Amount of Seed				Outturn per Acre.				Outturn per Kharwar of 4 Acres.			Remarks.
							Per Acre.		Per Kharwar.		Shali.		Straw.		Shali.		Straw.	
					Kanals.	Marlas.	Mds.	Seers.	Kharwars.	Traks.	Mds.	Seers.	Mds.	Seers.	Kharwars.	Traks.	No. of Bundles.	
1	Nambal land of Tulla-Mula in centre of rice plain.	Well manured; ploughed once, *Khushaba* three times, and seedlings transplanted.	Abundant and constant.	Good red.	18	12	—	24	1	1⅔	22	20	25	13	41	10	693	Cutlivated by owner.
2	Irrigated land of Maygaon, mouth of Sind Valley, slightly elevated.	Manured; ploughed four times, *Khushaba* three times; seedlings transplanted.	Ditto	White	11	3	—	21½	1	—	24	23	22	9	45	8	444	Ditto.
3	Nambal land by the Dall Lake, low and moist, of Telbal.	No manure; ploughed three times, *Khushaba* twice; seedlings transplanted.	Ditto	Ditto	7	9	—	24	1	1¾	28	18	24	28	52	11	395	Cultivated by tenant.
4	Irrigated land of Bhagwanpura at north end of Srinagar on rice plain.	No manure; ploughed four times, *Khushaba* four times; seedlings transplanted.	Ditto	Ditto	44	6	—	21½	1	—	30	28	28	12	56	13½	723	Cultivated by owner.
5	Irrigated land by the Dall Lake, slightly elevated of Banigam.	No manure; ploughed three times, *Khushaba* twice; seedlings transplanted.	Ditto	Ditto	11	8	—	24	1	1⅔	32	32	27	14	60	12	637	Cultivated by hired labour.
6	Nambal land in plain of rice, of Palapur, right bank of Jhelum, and further north than Bhagwanpura, moist land.	No manure; ploughed four times, *Khushaba* three times; seedlings transplanted.	Ditto	Ditto	14	10	—	24	1	1⅔	37	32	43	18	70	—	695	Cultivated by owner.

Rice cultivation.

25. The ground is prepared for *sháli* by ploughing, and if necessary applying manure and fresh turf, from the middle of March to the end of April or middle of May; sowings continue during May or may last on through the first fortnight of June, and the usual custom is to prepare seed beds and transplant; a fortnight after transplanting, *Khushába* is done and the operation is repeated at intervals of a fortnight to three weeks; reaping goes on throughout October and into November; and "*Chúmba*," or threshing, throughout the winter. The rice does not stand much taller than wheat, and except in very marshy land, the water is constantly flowing through it and depositing a fine silt. "*Khushába*" is the term applied to weeding the plots and breaking up the surface soil, which otherwise would cake and harden. Just as the yield of opium in the plains depends upon the care and frequency with which this is done, so it is with rice here. The outturn is said next to water to depend upon "*khushába*." It can be done by cattle, and six or ten oxen may be seen tied together apparently trampling down a plot of young *sháli*, over which they are driven again and again, but the outturn is better if the operation is done by men who are careful not to injure the plants. It is said if "*khushába*" is done by cattle that twice the quantity of seed is necessary. The reapers tie up the *sháli* into bundles, and these bundles are then bound 12 together and form one "*kuru*." These *kurus* are immediately stacked in any convenient place, generally near the village or the owner's house, to await "*chúmba*." The *kurus* are always counted after reaping. The weight varies. By taking samples I made preliminary estimates in three cases, with this result:—

		Mds.			Mds.			Mds.
(*a*.)	Estimate	50	(*b*.)	Estimate	50	(*c*.)	Estimate	51
	Result	52		Result	47		Result	68

My assistant and I both found that the weight of a threshed *kuru* ran about 12 lbs. and the weight of straw per acre comes out much the same, with an average of 26 maunds per acre, and between 600 and 700 *kurus* to the kharwár of land, or four acres, except in the last experiment (No. 6 in the statement), where I think the weighing must have been careless. I only weighed the grain. The process of threshing is slow, laborious, and wasteful. Two or three huge massive planks are set up against supports, so that one edge of each plank rests on the ground and the plank slopes towards a row of men who stand behind. Each man seizes a bundle of *sháli*, raises it in both hands and strikes it again and again against the broad smooth face of the plank till the grain is all beaten out. He then tosses the bundle far back and takes up another. One or two men untie the *kurus* and supply the new bundles, another constantly sweeps up and cleans the

grain, collecting it into a heap, and another ties up the threshed bundles into *kurus* again. By this process some grain is scattered and lost, and some is left in the bundles, and the operation of threshing is altogether more carelessly performed than in the plains. Threshing may follow almost immediately after reaping.

Famines, &c.

26. Variations in the season affect the harvest; for example, a wet spring would injure the young crop or insufficient snows would diminish the water supply, but famine appears only to be caused by heavy rain and cold at the time of ripening or reaping, and fortunately this is a rare occurence. It is, however, always important that the *sháli* crop should be cut and garnered with the utmost expedition, and any revenue system which tends to delay that operation must in a critical season seriously aggravate the disaster. The rabi crops not infrequently suffer from insufficent spring showers, but from a famine standpoint, wheat, barley and the like are of little importance, and therefore in the following history of the seasons only those calamities are noticed which seriously affect the population :—

A.D.	Samwat.	
1815	1872	Population estimated at 8,00,000.
1824	1881	Severe earthquake, followed by cholera.
1828	1885	
1831 to 1833	1888 to 1890	Severe famine, caused by heavy rain in the autumn.
1835	1892	Population estimated at 2,00,000.
1838	1895	Floods.
1842 or 1843	1899 or 1900	Cholera.
1857	1914	Ditto.
1859 to 1860	1916 to 1917	Scarcity owing to short water-supply.
1856	1922	Floods.
1869	1926	Ditto.
1871	1928	Ditto.
1872	1929	Cholera.
1873	1930	Population estimated at 5,00,000.
1875	1932	Poor harvest.
1877 to 1879	1934 to 1936	Severe famine, caused by heavy rain from the end of September 1877, followed by cholera.
1879	1936	Good rice harvest.
1880	1937	Very good ditto.
1881	1938	Good harvest.
1882	1939	Good ditto.
1883	1940	Poor ditto, too little rain.
1884	1941	Very good harvest.
1885	1942	Poor harvest, spring rains too heavy, and sowings retarded. Severe earthquake.
1886	1943	Fairly good harvest.
1887	1944	Good harvest.
		Population estimated at 3,00,000 to 4,00,000.

Decrease of population.

27. From the above it will be remarked that floods are rare, and occurring as they usually do in the spring, the damage is not serious, whilst the fertility of the soil is increased. Severe earthquake has occurred twice in the present century, and, so far as I know, not at all in the previous century. Severe famine has also occurred twice, caused each time by the heavy and continuous autumn rains of 1831 and 1877, and on each occasion producing a scarcity that lasted till the reaping of the second *sháli* harvest after the failure. The visitations of cholera have not been numerous and have seldom been severe. The general result of the last 70 years appears to be that the population is now little more than half of what it used to be. That it is considerably less there can be little doubt. Traces of disused irrigation and of former cultivation, ruins of villages or parts

of villages, of bridges, &c., local tradition, all point to a greater prosperity, which by the end of the Sikh rule in A.D. 1846 had well-nigh disappeared. Since that date, progress has been made, though arrested by the famine of A.D. 1878, but that the present revenue management and system of government seriously hinder progress there will be little difficulty in showing. To maintain the population, two devices have been resorted to, both I believe of old date. The first, prohibiting export of rice, is still in existence; at least, last year I understand rice was prevented going to the Punjab. The second, prohibiting any Kashmiri crossing the passes was removed during the last famine. The door of hope was, however, opened too late, for of the numerous refugees few succeeded in reaching the open country, and consequently few came back. Since then, numbers of Kashmiris visit the Punjab every winter, where they find employment and save on their wages, returning in the early spring to cultivate their fields, generally bringing with them some cloth or other trifle for their wives, but getting frequently roughly handled by the customs' clerks for their pains. Doubtless some remain in the plains, but as on their return they would find their lands given away, few of the regular cultivators overstay the winter. And besides, the Kashmiri cultivator says he cannot live in the plains. Difficulty of getting food during the winter is quite as strong a cause of the annual exodus as the desire of gain. As the families of Kashmiris are decidedly large and the emigration from the valley is not, I should say, considerable, the gaps made by famine would quickly be filled up were it not for the winter mortality from insufficient clothing and food which must take place among the children. The Kashmiri requires more and more frequent nourishment and warmer clothing than his brother of the plains. Not only does the climate necessitate more, but the Kashmiri has the body and strength of an elephant. The collectors of *sháli* often pay insufficient attention to this point, and as the aim is to collect for the use of the city all that can be safely taken, they are apt, acting on the experience of what a family consume in the plain, to leave too little to properly support and multiply the agricultural population.

Chronic scarcity of food.

28. In a valley where during the last nine years there have been seven good harvests and only two indifferent ones, and where the ruler is averse to raising the price of *sháli* lest the poor should suffer, it seems strange to speak of chronic scarcity affecting the population, and yet last year, and from reports I have read the same thing has more or less been going on for years, I saw mobs struggling and fighting to secure a chance of getting a few seers of the Government *sháli*, in a way that I have not witnessed since the great famine of southern India. I have found it impossible to obtain any record of bazaar prices, but I believe I am correct in saying that before A.D. 1846 the normal price of *sháli* was about eight annas per kharwár, and that it varied with the harvests. For example, during the famine of A.D. 1831–33, the price rose greatly, and even after A.D. 1833, it remained for some time as high as Rs. 1½ per kharwár. Whether the kharwár was reduced to 15 traks instead of 16 traks then I have not ascertained. Shortly after Maharaja Goláb Singh assumed the control, the present system of collecting *sháli* in large granaries in the city and selling it by retail through Government officials appears to have been introduced, and the price of *sháli*, with a brief interval about A.D. 1879 when it was raised to Rs. 1½, has remained stationary at Rs. 1¼ per kharwár of 15 traks, = two maunds and one seer of standard weight at 80 tolas per seer. For over 40 years the system has been sufficiently profitable to support a large body of the pandit population of the city in idleness, and the Government has gradually become on the one side a farmer working with coolies under a management closely approximating forced labour, and on the other side, a gigantic bannia's shop doling out food to the poor in exchange for their coppers, and keeping with every cultivator an account showing what is taken from him whether in the way of grain, oil, wool, ponies, cows, &c., and what is given to him in the shape of seed, plough-cattle, cotton or wool to spin and weave, and a hundred other petty details.

There are neither grain shops in the bazaar nor bannias nor bankers anywhere.* I do not know whether it is an offence to sell *sháli*, but I do know that the cultivators are afraid to do so, and in tehsils nominally under a cash settlement and with an abundant harvest my establishment have once and again been literally starving, and the only way they can get food is by having it sent out, rice, atta, dall, &c., &c., from the Government store houses in Srinagar to the tehsildars, who thereupon sell to my men for cash. My men still find difficulty in procuring the necessaries of life, and only very urgent representations at head-quarters have secured the supplies necessary to stop the angry and to me humiliating clamour of my subordinates to be allowed to buy food for ready money. Doubtless this annoyance has been partly due to the feeling of

* Cultivators, however, do get advances from people in the city.

hostility with which my department is regarded by every official from the highest to the lowest,* but the scenes I have described in the city convinced me that the widow and the orphan, the weak and the sickly must fare badly when it comes to physical wrestling for the daily bread. In Kashmir the tehsildar is the bannia, and he is a branch of the great official firm in Srinagar, where the chief business is conducted.

Profits on the sale of cleaned rice.

29. The system is so intricate and so constantly changing, that I do not attempt to explain how the State treasury on the one hand and the poor on the other suffer. I will merely confine myself to one or two facts. The amount of cleaned rice to be got out of *sháli* varies with the quality and with the degree of cleanness thought necessary by the consumer. Compiling, however, a good many answers, I gather that the quantity is never less than half for the cleanest rice of the well-to-do, and not greater than two-thirds for the dirtiest eaten by the poor. The quantity of cleaned rice may thus vary between 48 and 64 seers per kharwár, and the ordinary proportion for the mass of the people may be taken at three of cleaned rice to two of husk. Three and a half seers of rice per trak of *sháli* is not an uncommon reply, and that gives 56 seers of cleaned rice per kharwár, and as that amount is near enough to the proportion of three to two I shall adopt it. The kharwár spoken of has only 15 traks, but that is a detail. The state sells *sháli* at Rs. $1\frac{1}{4}$ per kharwár, or ten annas per one maund and half a seer standard weight, and *sháli* is not allowed to be sold openly at any other price. But if *sháli* cannot be sold, rice can, though the State officials are supposed to sell white rice at 28 Kashmiri seers, and red rice at 32 Kashmiri seers per rupee. Except to the followers of the British visitors or to persons of influence, rice was, however, not procurable at these rates, and was admittedly sold in the city last year for 16 to 20 Kashmiri seers per rupee, though I was informed by Punjabis that the price ran as high as 10 to 12 Kashmiri seers per rupee. A 15-trak kharwár of *sháli*, or 90 local seers, was sold for Rs. $1\frac{1}{4}$. Half-a-seer per trak is ordinarily paid for husking. Deducting, therefore, $7\frac{1}{2}$ seers from 90, the balance is $82\frac{1}{2}$ seers, from which about 48 seers of cleaned rice would be got. It was possible, therefore, for a man to secure rice at a cost of about 38 seers per rupee, and to sell it at 19 or 20 seers per rupee or about double the price he paid for it. The State do their cleaning expensively, but even they can profitably sell at 32 seers per rupee, even supposing the rice is cleaned for the most fastidious. For 90 seers—$7\frac{1}{2}=82\frac{1}{2}$ seers$\div 2=41\frac{1}{4}$ seers of cleaned rice for Rs. $1\frac{1}{4}$ or 33 seers per rupee. Now if the cheapest rice was not procurable under 20 seers per rupee and the dearest ran up to 10 seers it requires no argument to show that *sháli* was not distributed last year at Rs. $1\frac{1}{4}$ per kharwár, except in very limited and insufficient quantity. The places of sale were few, the days of sale fewer, the officers appointed insufficient. Every expedient was resorted to that admitted of the smallest public sale with the maintenance of the farce of selling freely. Large sales were, however, reported to the State treasury, and the money duly paid in at Rs. $1\frac{1}{4}$ per kharwár. The profit was divided between the officials who made over the *sháli* and the favoured recipients; the poor paid twice as much for their rice as the State intended, and the State got nothing but their maledictions. Influential people were always able to get their *sháli* at Rs. $1\frac{1}{4}$, and these included the larger proportion of the pandits. All these facts I explained in public Darbar with the satisfaction of being informed that I was the first who had brought to notice that the poor could not get *sháli* at the Government price. This year, the *sháli* is being distributed freely at $7\frac{1}{2}$ traks of *sháli* per head per mensem, or six kharwárs per annum, and consequently rice is to be had at its proper price and the city is quiet. But it is obvious this cannot last, even if the traditions of former years are finally at an end. The price of *sháli* must rise and fall with the outturn of the harvest. With a fixed price, the moment it gets scarce or is made scarce, enormous profits are made on the rice, and the mendicancy which prevails throughout the valley is only one of the signs that for years back the staple grain has been dealt out by measure to the people.

System of revenue collection under the Sikhs.

30. Coming now to the mode of collecting the *sháli* and the revenue generally, I premise that my remarks are based on inquiries made in two tehsils only. The tehsils of Phák and Lál are called cash-assessed, and that was one of the reasons why I commenced there. Under the Sikhs the State took a half-share of the kharif crop, and in addition four traks per kharwár, and on account of the rice straw and the vegetable-produce of the "*Sagazár*" plots, the whole of which were kept by the Asámi and were supposed to be free of assessment, Rs. 1–9–0 per cent. was added to the total. The patwári and kánungo got $\frac{1}{2}$ a trak per kharwár between them. Inferior village

* This season several of the circles are able to supply themselves in the villages by paying rather more than the fixed price.

servants got something. Nazaráná was levied four times a year, and "*tambol*" (about two per cent.) was taken on occasions of marriages in the ruler's family, &c., &c. The villagers had also to feed the State watchers of the grain, called "*Shakdár*." Non-resident cultivators paid a little less, and Pandits and Pirzádás only paid two extra traks instead of four. For the rabi and kimiti crops, all classes of cultivators were taxed alike, and in addition to the half-share, three traks per kharwár were taken under the names of extra cesses. The "*kimiti*" crops appear to be those that have always had a money value and are til-gogal, sarson, tobacco, cotton, linseed, saffron, and the like. The distinction is said to date back to the time of Todar Mal, and for these crops money was always required, the assessment being calculated in rupees after division of the produce and the produce being returned to the cultivator. For other crops, whether kharif or rabi, the collection might be in kind, or the villages might be farmed out. But I can find no trace so far of any crop rates. Walnut-oil, fruit trees, and honey have also always been taxed. Under the above the State share was not less than three-fifths of the gross produce, and what the cultivator actually retained was certainly less than two-fifths and probably only about one-third. The abundance of fruits, berries, and nuts, the extensive grazing area, and forest produce, enabled the cultivators to live, but an assessment so heavy as this would extinguish all rights in land, would render land valueless, and would reduce a population forcibly confined within the valley to the condition of tenants-at-will.

Effects of a crushing assessment.

31. Accordingly, we find that pressure has from time to time been exercised to keep the land in cultivation, and to such an abject condition have the cultivators—naturally a fine race—been reduced that I have been told by the highest and most trusted officials in Srinagar that the Kashmiri cannot be trusted with *sháli* because he would eat the whole of it, that he will not plough unless the tehsildar gives him the seed and makes him, and that without this fostering care of Government he would become extinct. The truth being that he has been pressed down to the condition of a coolie cultivating at subsistence allowance the State property. The Kashmiris are called cowardly, because they have lost the rights belonging to the peasantry elsewhere and tamely submit to be driven like sheep before a sepoy. But it is useless to expect that a small population forming an isolated state that looked only to its hills for protection could withstand powerful neighbours like Afghans or Sikhs, or that so distant and inaccessible a province would not be ruthlessly ground down under the endless succession of governors that have enriched themselves in this valley. The Kashmiri is strong and hardworking, but his spirit is dormant, and he is grudged the quantity of food the climate makes necessary but which a short-sighted policy considers gluttonous, and consequently he is being closer pressed every harvest. With fair treatment the peasantry would make a great advance in numbers and in prosperity, and if their claim to consideration, which I am now advancing, is met, the happy days when Zain-ul-abdin passed his jubilee among a contented people may be repeated. If that claim is denied, the State, as I shall presently show, will soon have no land left to legislate for, and will have to beg for its revenue from its present servants. These servants foresee that a land settlement must come some day, and meanwhile they are buying up or otherwise getting possession of the land, and to secure a little temporary rest the cultivators are only too ready to take shelter behind any sufficiently influential pandit.

Revenue management since c. A.D. 1846.

32. Since the times of the Sikhs, the pressure has been undoubtedly relaxed, but it must still be pretty severe when cultivators are found ready to sell whole villages for no other equivalent than the protection of a powerful name. Many of the *Mukaddams*, or heads of the villages, are very intelligent, but when it comes to seeing their children stinted of food, with hearts sickened by deferred hope, they sign away fatuitously day by day such rights as they possess. During Máharája Goláb Singh's rule (A.D. 1846 to 1857) the Sikh procedure was followed, but some slight relaxations were made in favour of land newly cultivated, for large areas were lying waste. His Highness was fond of horses, and a number of grass-rakhs were reserved from cultivation. Under Maharája Ranbhir Singh, circles of villages were annually farmed out to contractors called kardars. About 1865 (S. 1922) the extra traks per kharwár were reduced for all Pandits and Pirzádás for a time to only one trak. From about 1869 (S. 1926) the practice of contracting with the Mukaddams or with the Zamindárs gradually established itself in place of the farming system, and only two extra traks came to be levied instead of four. In 1873–4 (S. 1930–1) the village contracts seem to have been divided up into "*asamiwar khewats*," or cultivators' accounts, and either produce or cash was taken from each man. In 1875 (S. 1932) the harvest was a bad one, and the State took two shares of the produce and left one only to the cultivators. Next year fresh contracts

were entered into either with Mukaddams, Kardars, or cultivators, and two traks per kharwár were again added to the assessment, besides an aggregate tax of Rs. 9-12-0 per cent. if paid in cash, or 9 kharwárs 12 traks per 100 kharwárs if paid in kind. This tax included a number of items, such as support of the palace-temple, the abolished kánungo's share, and so on. In 1877 (S. 1934) the scarcity began, and the new contracts broke down, and so the State collected in kind only, and this practically continued till 1880 (S. 1937), when a new "*asamiwar khewat*" was made, based upon previous years collections, as estimated in cash, but payable either in produce or cash as the cultivator was able. This "*khewat*" or cash settlement is supposed still to be valid, but after the good harvests of S. 1937 and 1938 the settlement was thought to have been too easy, and so it was raised by Rs. 8-9-0 per cent., the chief item of the increment being Rs. 6-13-0 for a pony tax, which might be paid in ponies instead of money, and in place of the Rs. 1-9-0 per cent. formerly levied for fodder the cultivators were required to give five *kurus* of rice straw per 100 threshed. This settlement includes all cesses except the "*tambol*" and "*nazarána*." In 1885 (S. 1942) the Rs. 8-9-0 per cent. tax was remitted, and so now the "*khewat*" of S. 1937 is supposed to have been reverted to, with the exception of the five *kurus* of rice straw, which are still taken. In 1886 (S. 1943) one seer per kharwár, formerly payable to the zillahdars, was made payable to the State, who appointed paid chowkidars. If this revenue history is not very correct, it must be remembered that access to the revenue records has been denied me.

The so-called cash settlement of S. 1937 (A.D. 1880).

33. To ascertain what the basis of the present assessment is, it becomes necessary to inquire how the "*khewat*" or village cash-settlement of S. 1937 was prepared. The collections in kind of the two years S. 1934 and S. 1935 were taken and an average was struck. The practice was to record the gross produce; take one-half for the Government share, add the "*siwai traki*" or four extra traks per kharwár, and then convert these 16-trak kharwárs into 15-trak kharwárs for all crops for which the *kaccha* kharwár is used, and which broadly is for all crops except the "*kimiti*" crops. The amount in kharwárs so obtained was then turned into money at standard prices. A few of the more common prices are here given by way of example in chilki rupees :—

From S. 1923 to 1942	- Jaw	- Rs. 2 1 3	per 15-trak kharwár.	
Ditto	- Wheat	- „ 5 2 6	ditto.	
Ditto	- Mung	- „ 7 14 0	ditto.	
S. 1923 to 1936	- Sháli and Makki	Said to have been no fixed price, but the accounts generally show Rs. 2 per kharwár of 15 traks.		
S. 1937 to 1942	- Sháli and Makki	- Rs. 2 0 0	per 15 trak kharwár.	
S. 1923 to 1929	- Cotton (kapás)	„ 18 0 0	„ 16	„
S. 1930 to 1942	- Ditto	„ 14 0 0	„ 16	„

And these prices continue to regulate the transactions year by year between the State and the cultivators.

Taking now a village at random, it will be understood how the "*khewat*" was arrived at:—

For S. 1934—A.D. 1877.

Gross Produce in 16-trak Kharwárs.				Government Share after adding *Traki* in 15-trak Kharwárs.			Government Share calculated in Chilki Rupees at Standard Prices.						
Crop.	Kh.	Tr.	Man.	Khs.	Trs.	Man.	Rs.	A.	P.		Standard price per kharwár.		
Sarson	0	6	0	0	3	0	1	8	0	at Rs.	8	0	0
Tilgogal	4	13	0	2	6	2	21	11	6	„	9	0	6
Kapás	3	0	1½	1	8	0½	21	3	3	„	14	0	0
Mung	1	5	1	0	12	1½	6	1	9	„	7	14	0
Sháli, &c.	1,438	0	0	*897	1	0	1,794	2	0	„	2	0	0
Total	1,447	8	2½	Total			1,844	10	6				

* See reference * on next page.

* Details of Calculation.

Kharwars.	Kharwars.
1,438 ÷ 2 =	719 0 0
Deduct free of extra cesses for Pandits, Pirzadas, &c. - - -	76 0 0
Balance - -	643 0 0
Add "*Siwai Traki*" - - -	719 0 0
At 2 traks per kharwár on 643 *kharwárs* - - - -	80 6 0
	799 6 0
Add for "*Kasur*" or conversion into 15-trak kharwárs - - -	49 15 2
	849 5 2
And for "*Bod*" at 1 trak less 1½ paws per kharwár - - -	47 11 2
Total - - -	897 1 0

	Rs.	A.	P.
Brought forward - -	1,844	10	6
Per-centage taxes added - -	188	8	0
Fixed tax on walnut oil - -	4	7	0
Bodgalát at Rs. 5-3-6 per cent. on Rs. 50-8-6 - - - - Viz.:— Rs. 1 8 0; „ 21 11 6; „ 21 3 3; „ 6 1 9	2	10	3
Rasadát Mukarrari Zar-mewâ (*i.e.*, fixed tax on fruit trees) - - -	60	8	0
Officeri tax - - Rs. 2 12 0; Asalkhana (tax on honey) - - Rs. 6 3 0	8	15	0
Rasad Ghas at Rs. 1½ per 100 kharwárs on Rs. 799-6-0 kharwárs of sháli, &c. (*i.e.*, tax on straw) - -	12	0	0
Total taxes - -	277	0	3
Total assessment - -	2,121	10	9

For S. 1935 = A.D. 1878.

Gross Produce in 16-trak Kharwars.				Government Share after adding "*Traki*" in 15-trak Kharwars.			Government Share calculated in Chilki Rupees at Standard Prices.						
Crop.	Kh.	Tr.	Ma.	Kh.	Tr.	Ma.	Standard price.				Rs.	A.	P.
Jaw - - -	0	5	0	0	2	2½	at Rs.	2	1	3	-	0	5	6
Sarson - -	1	1	2	0	8	3	„	8	0	0	-	4	6	6
Kapás - - -	1	3	0	0	9	2	„	14	0	0	-	8	5	6
Mung - - -	3	10	2	2	2	1	„	7	14	0	-	16	13	0
Sháli, &c. - -	1,229	5	1½	†762	5	3½	„	2	0	0	-	1,524	11	9
Total - -	1,235	9	1½	Total - -										

† Details of Calculation.

Kh. Tr. Man.			
1,229 5 1½ ÷ 2 =	614	4	1½
Add "*Traki*" - - -	65	1	1
Add "*Kasur and Bod*" - -	83	0	1
Total - -	762	5	3½

	Rs.	A.	P.
Per-centage taxes added - -	163	2	0
Fixed tax on walnut oil - -	4	7	0
"Hara Makki" (tax on sagazár plots) -	25	0	0
"Bodgalát" - - -	0	4	0
Fixed tax on fruit trees - -	60	8	0
Officeri tax and honey tax - -	8	15	0
Tax on straw - - - -	10	3	0
Total taxes - -	272	7	0
Total assessment - -	1,827	1	3

	Rs.	A.	P.
Total assessment for S. 1934 - - -	2,121	10	9
„ „ S. 1935 - -	1,827	1	3
Total - -	3,948	12	0

	Rs.	A.	P.
Average of the two years - - -	1,974	6	0
Add increase for "Ani" and "Gunt" -	766	10	0
Total - -	2,741	0	0
Add increase for "*Hashtani*"* - -	175	0	0
Amount of the "*Khewat*" - - -	2,916	0	0

* "*Hashtani*" is a fine imposed at 8 annas per kharwár for not paying that part of the *khewat* in *kind* which is demanded in *kind*.

Accordingly, the "*khewat*" or cash settlement of this village was fixed at Rs. 2,741 with an added fine of Rs. 175, bringing the total up to Rs. 2,916, when the people were refractory about supplying as much "*sháli*" as was asked for. Turning to the figures furnished to me officially, the demand for this village has been—

	Rs.		Rs.
For S. 1934	3,430	For S. 1940	3,166
„ 1935	2,149	„ 1941	3,178
„ 1937	2,741	„ 1942	2,916
„ 1938	2,741	„ 1943	2,948
„ 1939	2,916		

The village accounts tally with the head office accounts, and I know that the collections from this village have realised the demand, and that there are no balances against the village. It possesses one of the most intelligent mukaddams of the valley, and was thus able to escape during the general winding up of totals in S. 1939, with only a trifling increase. It is, therefore, a good village to show that what on paper may appear a crushing assessment is in reality not an unfair one. To take half the gross produce, to add 4 traks per kharwar for food grains, and so take three-fifths of the bulk of the gross produce, to add 57 per cent. under the name of taxes of all kinds, and to exact besides payment for fruit, honey, oil, &c., ought, when the claims of village servants and rapacious officials have been satisfied from the attenuated balance, to leave the cultivator with literally nothing. Yet this village is very comfortably off, and pays the demand in full pretty easily. The reason is that the actual collections of S. 1934 and S. 1935 were below the average owing to the famine, so that with all these additions to the half-produce, the resulting assessment was not oppressive. The good harvests of S. 1937 and S. 1938 made this evident, as already stated, and from S. 1938 to S. 1940, the *khewat* was nearly everywhere gradually wound up.

34. To find out the mechanism of the winding-up process would be tedious if not impossible, but as an example I cite another village. In S. 1937, the "*khewat*" was fixed at Rs. 617-12-0. In S. 1939, when the villages were practically going by auction,* a bidder offered Rs. 107-4-0 increase, and this village was knocked down to him at Rs. 725 per annum.

Hap-hazard way in which the settlement was immediately increased.

To this extra taxes, namely :—

	Rs.	A.	P.
Dharmarth	3	10	0
Shafakhana	7	4	0
Nazarana	0	14	6
Palace Temple	0	14	6
Pony-tax	69	5	0
Tambol	2	0	0
	84	0	0
Outstanding balance	1	2	0
Total	85	2	0

were added, making the total Rs. 810-2-0 for S. 1941. In S. 1942, the extra taxes were remitted, as already stated, and so the account stands—

	Rs.	A.	P.
Assessment	725	0	0
Add for cotton supplied for spinning and weaving soldiers' clothing— 2 Kharwars at Rs. 14 = Rs. 28 + a fine of Rs. 4 for failing to supply the clothing within the year	32	0	0
Outstanding balance	39	3	0
Total	796	3	0

For S. 1943 the assessment is Rs. 725, and with outstanding balance the total is Rs. 741-11-9.

These are the village accounts showing collections. The tehsil accounts showing demands, give for S. 1,941 Rs. 787, for S. 1,942 Rs. 752, and for S. 1,943 Rs. 733. It is difficult to deduce from accounts such as these what proportion of the gross produce the State takes, and more difficult still to find out what a village really does pay, as I have now to show. I enter into this detail because it is absolutely necessary it should

* N.B.—For a crushng example, *see* Asham village, para. 47.

be understood that any intelligible comparison between the results of the proposed settlement, and either the previous *khewat*, or the present demand, or the actual collections will be impossible.

How the revenue is collected.

35. It might be thought actual collections could be compared with the results of the settlement, but the custom of applying arbitrary prices to the portion of the revenue collected in kind, and which forms a large percentage of the whole, and the want of certainty either as to the proportion collected in kind or as to the share of each crop which is taken to make up that proportion, will effectually prevent any comparison with anything whatsoever. The *khewat*, or so called cash settlement, so far from being a boon to the people, has been used as a means for getting rid of the restrictions which are imposed by a division of produce, and is accordingly equally detested by the villagers. This is how it is worked. An order is annually issued from Srinagar for the collection of a certain quantity, say nine lakhs of kharwars of *sháli*, the demand being based upon the general aspect of the ripening crop, and pitched 20 to 30 per cent. above what there is a likelihood of getting. Each tehsildar is then informed of the amount he is expected to contribute to this total. He finds this amount, converted at Rs. 2 *chilki* (Rs. 1¼ imperial) per kharwár, comes to, say, 10 annas in the rupee of his total revenue. He according gives instructions to collect so many kharwárs from each village, the total collections coming up to the amount named from head-quarters, or probably rather more, but varying from 16 annas to nothing, according to the amount of *sháli* he thinks can be secured from any particular village. As soon as the villagers learn they have to pay their *khewat*, say, 10 annas in *sháli*, two annas in cotton, mung, &c., and four annas in cash, bargaining and bribery begin; the village, if a fairly well-to-do one, eventually securing enough *sháli* to live upon; if a poor one, having to look forward to some other means of eking out a livelihood for the winter.

Perhaps an instance will make the system clearer. It is a village I happened to examine; the accounts are for the year S. 1939, and the rupees are *chilki*, or worth 10 annas each.

Amount of Demand.		Amount collected.	
In cash - - - -	Rs. 384-7-3	In cash - - -	Rs. 369-10-9
In kind - - - -	Kh. 191-6¾	In kind - - - -	Kh. 182-2-0

The meaning of the division of the demand into "cash" and "kind" merely signifies that there must be so much *sháli* or *makki*, and that for the rest collections may be in cash or in any other produce. In the following details gross produce is shown for most things in 16-trak kharwars, and the Government share in 15-trak kharwars:—

DETAILS OF COLLECTIONS.

Rabi Harvest - - Rs. 209-2-6.

Gross Produce.			Government Share.		Standard Price per Kharwar.			Assessment.		
	Kh.	Trak.	Kh.	Trak.	Rs.	A.	P.	Rs.	A.	P.
Jaw - - - -	79	0	42	0	2	1	3	88	10	0
Wheat - - -	43	0	23	6	5	2	6	120	8	6
					Total -			209	2	6

Kimiti Harvest - - Rs. 108-8-3.

Gross Produce.			Government Share.		Standard Price per Kharwar.			Assessment.		
	Kh.	Trak.	Kh.	Trak.	Rs.	A.	P.	Rs.	A.	P.
Alsi - - -	13	10	6	13	8	0	0	54	13	3
Kapâs - -	7	2	3	8¾	14	0	0	49	14	0
Mung - - -	0	14¼	0	7½	7	14	0	3	13	0
					Total - - -			108	8	3
			Add Akrot Tel (walnut oil) 14 manwatas - - - -					7	10	6
					Grant Total -			325	5	3 cash.

Kharif Harvest.

Sháli	305	$8\frac{1}{2}$	152	$12\frac{1}{4}$
Makki	26	$3\frac{1}{4}$	10	$7\frac{3}{4}$
			at $\frac{2}{5}$th Division.	
		Total =	163	4
Add extra			10	14
Grant Total—*Kh.*			*174	2 in kind.

Extra Items.

	Rs.	A.	P.	
Rasadát (for Sagazár plots, &c.)	5	0	0	
Contribution to pay of tehsil establishment	3	8	0	
Fodder, &c.	3	0	0	
	11	8	0	
Add cash	325	5	3	as above.
	336	13	3	
Add taxes at Rs. 9-12-0 per cent.	32	13	6	
Total	369	10	9	

Thus we have Rs. 369-10-9 set down as collected in cash, but which may have been paid partly in kind, and 174 kharwars 2 traks compulsorily levied in kind, which, at the standard price of Rs. 2 per kharwar, would amount to Rs. 348-4-0. This account would show that the total collections were valued at Rs. 717-14-9.

The tehsil accounts state the demand was Rs. 699. This village rose from Rs. 449 in S. 1937, the year of the *khewat*. In S. 1940 and 1941 there was a further increase to Rs. 758, and notwithstanding the remission of taxes in S. 1942, the demand still is over Rs. 700. If it is asked why the district officers should maintain complicated weighments and accounts when the cash demand has been fixed at, say, Rs. 700 and they might take Rs. 350 in cash and 175 kharwars in *sháli*, the answer is that no one can tell me.

Fixed prices for produce enable a tehsildar to manipulate the incidence of the assessment.

36. The *khewat* has in nearly all villages been much enhanced, and enhanced upon no principle, so that one village may be flourishing and its neighbour ruined. And not only is the demand manipulated as soon as a village is seen to be getting off easily, but it is obvious that the plan of fixed prices gives a power to the tehsildars of interfering with the incidence of assessment they ought not to possess. Batai, or division of the crop pure and simple may be oppressive, but there is some certainty about it. The Kashmir idea of a cash settlement has been to leave the cultivator nothing he can call his own. The State fixes the assessment at a lump sum, frequently screwed up to the highest pitch, and then proceeds to levy this sum by taking over such quantity of each crops as suits it at fixed prices. There is reason to believe that the price of *sháli*, as already described, has been kept, with a perfect indifference to harvests, below what it would in many years rise to. On the other hand, cotton, mung, and some other things are fixed at prices dearer than the local demand warrants. The consequence is that a tehsildar can pretty well ruin a village by taking 10 to 12 annas in the cheaply priced articles like *sháli*, makki, &c., and can gain the substantial gratitude of villages able to pay for such leniency by taking in lieu of the assessment a larger quantity of cotton, mung, and other highly priced things on which the State loses. If a cultivator has to pay 100 rupees *chilki* it makes an enormous difference whether 50 kharwárs of *sháli* are taken or only 25 kharwárs and the rest in cotton. For in the one case, the cultivator has compulsorily to sell his staple food below the proper market price and has to buy it back as rice or borrow it from the State on dearer terms; while in the latter case he retains enough to live upon and has paid the remaining half of his assessment very easily, for he gets Rs. 14 *chilki* for cotton that if he requires he can buy in the bazaar for Rs. 10 and less. Similarly he can pay his half assessment in mung at Rs. 7-14-0 *chilki*, and buy at, say, Rs. 5 *chilki*. The first thing to do with the *khewat* is to fix for every village, according to the amount of *sháli* it produces, the proportion of the cash lump sum to be paid in *sháli* or *makki*, and so deprive the tehsildars of their most dangerous power. Whereas last year I found in the cash-settled tehsil the standing crops, reaping, and threshing, as

* Collections are set down at 182 kharwars 2 traks. I must have omitted to copy 8 kharwars, I presume.

strictly guarded as if there was *bataí* assessment, with this serious difference, that the cultivator did not know what share of his *sháli* would be left to him. The *khewat* gets rid of the protection afforded by a division of the gross produce, and enables a tehsildar to come down heavily on any refractory village or cultivator at pleasure with accounts so darkened that there is no trace of the transaction, save perhaps that village or house may next year be deserted, in which case an influential pundit immediately acquires it at a nominal rent as waste land, recalls such of the runaways as he can find, and at the expense of the State becomes possessed of a comfortable property.

Why the price of *sháli* is fixed so low.

37. It may be easier now to understand why the Kashmiri cares naught for rights in land, why his fields are fallow or full of weeds, and manure and water neglected, why he has, as I can well believe, even to be forced to cultivate. The revenue system is such that whether he works much or little, he is left with barely enough to get along on till next harvest. He is a machine to produce *sháli* for a very large and mostly idle city population.* The secret of the cheap *sháli* is because if the price were allowed to rise to its proper level, the whole body of pundits would compel the palace to yield to their demands.

The ignorant Mahommadan cultivator has not only no one he can call friend, but everyone, whether Hindu or Mahommadan, of any influence is against him, for cheap bread by the sweat of the cultivator's brow is a benefit widely appreciated. The Mahommadan cultivator is compelled to grow *sháli*, and in many years to part with it below the proper market rate, that the city may be content. If the harvest is too little for both, the city must be supplied, and is supplied by any force that may be necessary, and the cultivator and his children must go without. That is the explanation of the angry discontent that filled the valley during the famine. The cultivator is considered to have rights neither to his land nor to his crops. The pundits and the city population have a right to be well fed, whether there is famine or not, at rupees two *chilki* per kharwar. I said everybody of influence was against the cultivator. Let us hear Haji Mukhtar Shah, who desired the resident to recommend him to me as cultivators' advocate. If any one, he might be expected to denounce the system of compelling his countrymen and co-religionists to part with more of their staple food than they can spare, and to get in exchange less than its value. He writes to me: "The shawl trade is gone, and all "artizans are ruined. If the cultivators are all at once allowed to sell at any price they "please, the artizan classes will have to buy dear and will be still further ruined. Caution "must be exercised in introducing any real cash settlement so that prices may be kept "down." When I told your Highness in Darbar the price of *sháli* must rise with the state of the harvest, and must probably be often higher than rupees two *chilki*, a shiver went round the officials, and your Highness said you would not dare to raise the price, so great would be the outcry. I can only say that a country cannot go on feeding a semi-idle host at less than cost price, and somebody must be a loser. The cultivators have lost much, even the interest to cultivate, and now the loss is falling on the State.

How cotton is dealt with.

38. One instance of this shifting of the loss from the cultivator to the State is the cotton. Last year I inspected rows of godowns full of cotton (under one man's charge; I was told I was looking at 13,000 kharwars) unsaleable, and now pretty well past selling. It had been taken over from the cultivators at Rs. 14 *chilki* per kharwar, and it must sell for that. The State was not conscious of any loss, for the stuff was down in the accounts for its nominal value, so many lakhs of rupees. I had occasion to purchase something stuffed with cotton, and in answer to my objection to the charge, I was informed by one of the chief merchants that he had the greatest difficulty in buying cotton. During my travels I met cotton coming up to Srinagar by both the Murree and the Jammu routes. The State price, of Rs. 14 *chilki*, is therefore so high that it pays merchants to import cotton while tons of it are rotting at their doors.

But to get an order for selling the State cotton at the reduction necessary to make it saleable would involve a recasting of the *khewat*, because the Darbár would not be likely to agree to the lowering of assessment which would follow the reduction of prices for over-priced commodities, and therefore the loss would have to be made up somewhere, and the only possible somewhere is the *sháli* and *makki*, which are inviolable. So all that is done is to direct the tehsildars to take as little of the revenue in these highly-priced articles as possible. As a consequence land is falling out of cultivation. The anti-climax is reached when cotton is served out to the villagers to be made into army clothing, and when the villagers can make nothing of the rotten commodity, they are charged for the cotton supplied at Rs. 14 *chilki* per kharwár, with interest at over 14 per cent. Since the Darbár have been waking up to their loss, there have been

* The city population is perhaps one-third of the whole.

proposals to induce the cultivators to pay cash for cotton, oil, and other products which the State cannot get rid of except at a sacrifice on the present prices. But unless the State is prepared to cut down those prices to marketable wholesale prices the increase of waste land will become alarmingly rapid. The cultivators are ready enough to pay their *whole* assessment in cash. But to have half the amount levied in *sháli* under-valued at Rs. 2 per kharwár, and to be asked to pay the other half, in respect of cotton, oil, mung, &c., in cash, would mean that food-grains are taken from the cultivator and he is left with cotton, &c., which he cannot sell at the prices he is assessed for. In making the *khewat*, the pundits adroitly balanced the loss in revenue on *sháli* by giving good prices to other articles. The cultivators balanced their loss on the *sháli* by inducing the tehsildár to accept all their cotton, &c., and by going so far as to buy these over-priced articles when their own village did not produce them.* Now that the Darbar find a large part of their nominal revenue is fictitious and that the godowns are full of unsaleable goods, the officials can think of nothing else than to make the cultivators bear the double burden of loss on the *sháli* and food-grains and loss on the cotton, &c. as well.

Cost of transport to Srinagar is borne by the villagers.

39. I have been assured that while a cash assessment might be possible in the neighbourhood of Srinagar, it would be out of the question in remoter tehsils. I suggested that a settlement would take distance from the market into account and that distant villages would be asked to pay less per kharwár of land than villages with easy means of transport. I was told over and over again by those highest in authority that the State bore the cost of carriage and still distant villages would not pay cash. I made inquiry into this statement, and I find that in every case the cost of transit is, as I supposed, borne by the village. Thus if two annas for kharwár have to be paid to the boatman for transport to Srinagar, the villagers are credited with Rs. 1-14 per kharwár instead of Rs. 2 *chilki*, or what comes to the same thing, Rs. 2 *chilki* are allowed for the *sháli* and two annas extra are levied for cost of carriage. This accounts for the State being able to sell all its *sháli* at Rs. 2 *chilki* per kharwár whether the *sháli* travels five miles or 50 miles.

Introduction of a landlord class.

40. It has been described how the revenue system leaves the cultivator without protection. His one concern is to get enough to eat, and when he fails in one tehsil he betakes himself to another. Consequently hereditary occupants are few, and if any proof were wanting of the unsatisfactory condition of agriculture it is the fact that large numbers have only cultivated their present lands for a few years. In a highly fertile valley to find the peasantry roving from village to village is a clear sign that the administration is faulty. This constant search for a rest never found, leads to two things; first, that much valuable land is annually thrown out of cultivation, and, secondly, that the people endeavour to shelter themselves behind any influential name. Consequently since the death of Maharaja Golab Singh, from which date central authority appears to have been weaker, there has been a steady and latterly rapidly increasing transference of land from the cultivating to the non-cultivating classes and a landlord element is intruding itself between the cultivator and the State.

Chakdars.

41. Undoubtedly there was a great deal of land fallow, and in S. 1919 it was decided to grant allotments, called "*chaks*," on easy terms under the general name "*zarniási*." Grants of "*zarniási chaks*" were made during some 10 years, and the conditions usually were that waste lands should be brought under tillage by employing people not already cultivators or by attracting cultivators from the Punjab, and that assessment should be payable as under, the particulars varying in different grants:—

		Rs.		Rs.	
1st year	-	-	-	Free.	
2nd „	-	Irrigated land	7	Dry	$3\frac{1}{2}$ per kharwar.
3rd „	-	„	8	„	4 „
4th „	-	„	$8\frac{1}{2}$	„	$4\frac{1}{4}$ „
5th „	-	„	9	„	$4\frac{1}{2}$ „
6th „	-	„	$9\frac{1}{2}$	„	$4\frac{3}{4}$ „
7th and 8th year		„	10	„	5 „

Five ghumaos per 100 were allowed free for the village-site, and Rs. 5 per cent. were remitted for "*hak milkiyat*" and "*biswi*." These two terms were evidently importations from the Jammu districts, where villages are held in ownership, and where the

* I have seen accounts which show revenue collected in these commodities when none grew in the village.

proprietors levy "owners' right" under these names from the cultivators. Considering that the State asserts that the Kashmiri cultivators have no right of ownership, the introduction of these terms into the grants is not explainable, especially when waste-lands were being dealt with. Apparently the officials have for years worked upon a well-understood policy, one to break down the rights of ownership which belong to the Jammu villages, as will be subsequently noted, and second to foster rights of ownership in Kashmir, in each instance with the intention of introducing themselves and their fraternity into the coveted position. From S. 1930, the assessment on all "*zarniasi chaks*" was doubled by Vazir Púnnu, so that since that year Rs. 20 per kharwar of wet and Rs. 10 per kharwar of dry land have been levied. During the years S. 1923 and S. 1924, the Darbar was induced to consent to still more favourable allotments, and "*chaks Hanudi*" were issued. In these documents it is recited that the grants are made out of favour to Hindus. The conditions are that Government cultivators are not to be employed, that only waste land is to be taken, that they remain Hindus and accept service nowhere else, and that assessment is paid as under :—

			Rs.		Rs.	
1st year	-	-		Free.		
2nd „	-	Wet land	2	Dry land	1	per kharwar.
3rd „	-	„	3	„	1½	„
4th „	-	„	4	„	2	„
5th „	-	„	5	„	2½	„
6th „	-	„	6	„	3	„
7th „	-	„	7	„	3½	„
8th „	-	„	8	„	4	„
9th „	-	„	9	„	4½	„
10th „	-	„	10	„	5	„

Mukarridárs. 42. From S. 1936, "*mukarrari chaks*" were introduced, under which a great deal of land is now held. The assessment is usually—

			Rs.		Rs.	
1st year	-	Wet land	6	Dry land	3	per kharwár.
2nd „	-	„	12	„	6	„
3rd „	-	„	12	„	6	„

The document stipulates (1) that all rules of the State be obeyed; (2) that rights of sale or mortgage are not included without specific sanction; (3) that the land cannot be thrown up when the period of low rates has expired without paying for the period of possession at full rates; (4) that the usual extra cesses must be paid; (5) that the holder must be loyal to the State and true to his caste; (6) that if the State sanctions a sale, &c., the purchaser, &c., will be similarly bound; (7) that any conditions made in future will apply to these grants; (8) that the assessment will be levied whether the land is cultivated or not, and if not paid the grant will be cancelled; (9) that Government cultivators are not to be used, and (10) that Government land is not to be taken.

From S. 1936, "*ishtihári chaks*" were also given, that is, under a proclamation that lands would be granted within a certain time. The conditions are mostly the same as for "*mukarrari-chaks*," but the assessment is usually easier :—

				Rs.		Rs.	
1st year	-	-	-	-	Free.		
2nd „	-	-	Wet land	1	Dry land	0-10-0	per kharwar.
3rd „	-	-	„	2	„	1	„
4th „	-	-	„	3	„	2	„
5th „	-	-	„	4	„	2½	„
6th „	-	-	„	5	„	3	„
7th „	-	-	„	6	„	4	„
8th „	-	-	„	7	„	5	„
9th „	-	-	„	8	„	6	„

and thereafter according to the custom of the country. For "*nambal*" land the assessment is half that on wet land, and it is stipulated that if Government cultivators are included, their former assessment is to be added to the amount payable under the grant. Besides these, a fifth description of "*chak*" is known as "*halkari*" or

service, under which land has been granted in lieu of wages, and on lump sums, for example :—

1st year		Free.
2nd „	Rs.	25
3rd „	„	50
4th „	„	75
5th „	„	100
6th „	„	125
7th „	„	175
8th „	„	250
9th „	„	350
10th „	„	500

and in future Rs. 550.

Evasion of conditions on which lands were granted.

43. Though "*mukarraridars*" are said to date from S. 1936, "*makarrari pattas*," or grants of land for lump sums, date from S. 1929. The conditions in all these grants are sufficiently elaborate, but naturally no one paid any attention to them. What the pandits desired was a means of acquiring land, and that obtained, they knew how to manipulate it. The famine of S. 1934 gave an opportunity for entering upon lands temporarily fallow, and the cultivators who returned from the Punjab found themselves ousted. The earlier *pattas* were issued by the Darbár, but latterly that formality was frequently dispensed with, and under the general order the Diwans or Vazir Vazarats made grants under their own signature. The condition about not using existing cultivators was, of course, an impossible one, and has been treated as such; more or less fallow land was doubtless occupied, but much cultivated land was included, and if the Darbar meant that waste as distinguished from recently abandoned land was only to be granted, then the next condition may also be said to have been largely neglected. Similarly the rates payable have been evaded, since most hold land in excess of what they pay for. Considering that from the Diwan downwards, there is hardly an official, past or present, who is not interested in these grants, it is not to be expected that the intentions of the Darbar were very strictly enforced.

Instances of lands held in excess of the grants.

44. An instance or two may be quoted to show how readily the rates may be evaded, and how nominal the payments may be. Diwan Badri Nath got a grant of a deserted Government garden, and with it was included some land he had bought from a woman, and which was stated, on what authority does not appear, to be assessment free. For the lot he was to pay Rs. 48 per annum. A few years later, he bought some more land for Rs. 100 (imperial), which he included with the first lot, but, although in the position of governor at the time, did not think it necessary to add anything to his assessment. That, however, is a trifling omission, for from first to last he has never paid even the Rs. 48, and his agent says the item is adjusted in his master's pay. This, however, seems hardly likely, as there is no entry in the accounts that this money is due. The land measures nearly eight kharwárs, or nearly 32 acres, and is gradually converting itself by lapse of time into a *maafi* tenure. Another Pundit got a "*chak*" for 10 kharwars "*zarniási*," but he modestly took possession of only 9½ kharwars and held at R. 1 for wet and 8 annas for dry per kharwar for 10 years, when he paid at Rs. 10 and Rs. 5 respectively. In S. 1930, Vazir Punnu's order doubled the assessment, and from that year Rs. 145 assessment and Rs. 21-8-0 cesses total Rs. 166-8-0 per annum have been paid up to date. In S. 1934, it was found he had six kharwars four traks more than he ought to have, but he successfully resisted any increase to his assessment. On measuring, it is found he holds 18½ kharwars, and he has therefore been paying at the rate of Rs. 9 per kharwar instead of at Rs. 20. Another Pundit petitioned for land at Rs. 5 per kharwar; this was refused, but he got a *mukarrari pattu* for 3 kharwars for Rs. 25. On measuring he is found in possession of 5 kharwars, and as he only pays the Rs. 25, he has got his land at Rs. 5 per kharwar, in spite of the recorded refusal. If now, reference is made to the table of crop experiments (paragraph 24), it will be seen that good land—and chakdars and mukarraridars seldom hold any other—produces from 40 to 70 kharwars of *sháli* per kharwar. They are generally more lenient in their treatment of cultivators than the tehsildar, taking three-quarters or half the crop, according as they do, or do not, supply seed and cattle, &c. But taking the lowest outturn, half the crop gives a rental of Rs. 40 per kharwar at the Government price, and seeing that chakdars never sell *sháli* but only rice, and remembering what has been said about the price of rice, it is easily seen that a grant of land in Kashmir has been made on very favourable terms indeed.

Chakdars ousting the old cultivators.

45. As soon as a man has got any land he proceeds first to oust all the old cultivators, so as to destroy any proof of the land having been cultivated when he entered upon it, and second to extend his ownership over every bit of land in the neighbourhood he can lay hands on. An instance will speak for itself. A tehsildar cast his eye upon a fine village within his charge, close to Srinagar. There were six or seven kharwars fallow and waste, which supplied a pretext for developing the country and inproving the revenue by applying for a *chak*. He had good influence at head-quarters, and his friend the Diwan, about five years ago, gave him a *mukarrari patta* for 20 kharwars at the usual rates of Rs. 12 for wet and Rs. 6 for dry land, but the tehsildar took care to get it inserted that all the land was dry. The revenue office gives us no information as to what these privileged persons pay, and as they do not pay through the village or tehsil, it is difficult to find out locally, but I venture to think the payment in this case does not exceed Rs. 150 per annum. For some such trifling sum he is in possession of 29 kharwars of fine land, of which 20¾ kharwars are irrigated and chiefly *sháli*, so that even at the nominal rates of the patta, he should be paying about Rs. 300. Some of the villagers objected to their land being thus appropriated, and specially to the water supply being controlled for the benefit of the land seized, but the tehsildar speedily reduced them to reason by getting their revenue demand raised by between 30 and 40 per cent., and the village is now labouring under heavy outstanding balances. This leads to cultivators disappearing, and as they disappear their fields are quickly added to the *chak*. He is now trying to turn the villagers out of their "*abádi*," and to house his own cultivators there instead. Of the cultivated land seized, seven or eight kharwars were held under an order of Vazir Punnu. This man was cajoled for a while by fair promises, but has now been turned out neck and crop from the lands he has held for 20 years. Another cultivator dies, his children are young. The neighbouring chakdar immediately takes possession under an agreement to be answerable for the revenue and to restore the land when the children grow up. Another chakdar makes a quarrel about his boundary, and works in a few kharwars of land that way. One cannot ride in any direction without hearing complaints of these annual accretions to *chaks*.

Clandestine possession of villages.

46. Latterly a suspicion of the truth has got abroad and "*chaks*" have not been so easy to obtain, but another device has been resorted to by which the transfer of land to the official classes is made easy. Agreements are being taken from the villagers that the village has long been the property of such-and-such a pundit. Sometimes a little substratum of title is added. For example, a deed recites that the pundit's ancestors bought the village very many years ago, that somehow possession was lost, but now the villagers unanimously recognise him as proprietor and agree that he shall pay the assessment. Or else deeds of sale are executed, usually for a nominal sum, which is not paid. In one tehsil I lately sent in a list of 14 villages thus made over by the villagers to influential persons, such as the Governor, the Vazir Vazarat, the Governor's secretary, and so forth. I explained these were 14 I happened to hear about, but as information was hard to get, I should suppose a larger number must have been thus dealt with.

Instances of villages ruined by over-assessment.

47. A statement was sent to me from the Darbar showing how collections had fallen off in 252 villages, owing to the land having lately gone out of cultivation. The following figures give the totals of this statement.

Demand from 252 Villages.		Collections from 252 Villages.	Remarks on the Harvest.
	Rs.	Rs.	
S. 1937	3,88,613	3,45,031	Very good harvest.
„ 1938	3,96,274	3,51,547	Good.
„ 1939	4,23,440	3,53,673	Do.
„ 1940	4,64,200	2,44,389	Poor.
„ 1941	4,69,701	4,09,562	Very good.
„ 1942	4,36,872	1,97,841	Poor harvest and earthquake.
„ 1943	4,41,357	2,31,550	Fairly good harvest.
„ 1944	4,41,403	2,48,369	Good.
Total	34,61,904*	23,81,962	
	4,32,738	2,97,745	

* N.B.—Difference of Rs. 44 due to some error.

These 252 villages are scattered over 14 tehsils, and as a specimen of how they have broken down I give an instance. The khewat of the village of Asham was fixed at Rs. 1,275. The collections for S. 1937 and S. 1938 were Rs. 1,271 and Rs. 1,411. In S. 1939 the village was sold by auction to a contractor for Rs. 2,095. I believe he lasted one or two years and then fled. For S. 1943 and 1944, the collections were Rs. 553 and Rs. 782. When I saw the village its fine lands were mostly lying unsown and its houses empty. If it is inquired why the old cultivators do not now return it is because the outstanding balance against the village is enormous, and last year I found the tehsildar trying to secure the entire crops of the miserable few who were left in a vain attempt to reach a sum equal to about one-third of the demand, but with the more likely result of ensuring the complete desertion of the place. As I pointed out, villages do not tumble down in this fashion without a cause, and the cause is bad administration, and that I fear sometimes with a definite purpose. I do not know why the list was submitted to the Darbar, but I can guess it was with a suggestion that it would be very desirable to re-settle these waste or semi-waste villages, and that this could best be done by leasing them out on easy terms. No sooner would the order be signed than the revenue authorities have possession of a valuable patronage. The fields have been fallow a year or two, and are ready to yield a bumper outturn if the surface is but scratched, the cultivators are waiting in surrounding villages. If Asham were leased to-morrow for Rs. 800 or 900, it would next year bring in half as much again at least to the fortunate recipient, and so for all the other villages. Let us see what this means. If we take the collections from S. 1937 to S. 1942, both inclusive, we may say a fair demand from the 252 villages of the statement would be Rs. 3,17,000, and that including two poor harvests and an earthquake, while for the years S. 1943 and S. 1944, the revenue has suddenly tumbled down to an average of Rs. 2,40,000 in spite of two good harvests, or a loss of more than $\frac{3}{4}$ of a lakh of rupees annually. If, therefore, the villages were to be leased out at say $2\frac{1}{2}$ lakhs, an outside estimate, the officials securing the villages would immediately, or at least within a couple of years, step into an income of not less than Rs. 75,000 per annum. No wonder the settlement is so strongly objected to, and that the officials, with one consent, advise your Highness not to allow a tehsil to be settled till the whole valley is measured. Quite so. If it is too dangerous openly to oppose the settlement it can be plausibly shelved.

The land improvement department.

48. The modes of getting control of the revenue are, however, not exhausted. A very simple method was hit upon in the institution of a "*trakiyat*" or land improvement department. This was supposed to be a department that was to work waste lands that nobody would take up by means of hired labour. It was most useful in conferring the management of small estates upon numerous needy pundits. Any bit of land could be transferred to this convenient department and made over to a friend to cultivate. Another plan is the breaking up of the grass preserves of Maharaja Golab Singh. These are fine lands, and under the management of pundits are producing very fine crops, and, I suspect, very little revenue. These, and other plans of direct management, were becoming very popular. The "*trakiyat*" as a ready instrument for absorbing revenue became too notorious, and it has lately been abolished, and the patronage is now transferred to the tehsildars.

How proprietary titles are manufactured.

49. However possession is got great ingenuity and co-operation are displayed in building up a title. To please the Darbar, and allay apprehension, every official glibly agrees that the land belongs to his Highness. Accordingly deeds of sale and agreements generally refer to "the rights possessed by the zamindars," with a judicious mixture of words denoting ownership and property. These documents are duly registered by the courts. Upon them petitions are based, and a good deal of correspondence ensues, and finally the Darbar passes orders and so endorses the whole. Take an instance. The son of an influential official took a contract in the old days for two villages. In S. 1937, the "*khewat*" was made with him. Next year he petitioned the Vazir Vazarat that he was being hindered paying the revenue of the villages which are his property. The Vazir Vazarat submits the case for orders, and an endorsement is written across a corner that petitioner is to be allowed to pay the revenue of the villages, and here the writer takes care to repeat the words of the petition, which are his, in "*milkiyat*" and "*zamindari*." Now whatever rights cultivators may have it is certain that ownership of villages, unless conferred by the Darbar by sanad, does not exist in Kashmir. Having got so far, the next step was to take an "*ikrarnama*" or agreement from the villagers that he is the proprietor. Armed with these documents, he requests me to record him as proprietor of both villages. On inquiry, of course, it

is ascertained he is a mere contractor of revenue, and that one-half of the villagers deny his claims, and the other half were bought over by a promise that they should be protected from seizure for forced labour. But this fabrication of titles with connivance of the highest officials, revenue and judicial, and slipping confirmatory papers in the course of current work under the Darbar signature, if allowed to run on, constitutes a great danger to the revenue, and if not effectually checked, my words will in a few more years come true, that the Darbar will have no villages left to own, and no revenue capable of being dealt with.

Impossibility of annihilating all rights in land.

50. I have reported many of these cases, and the Darbar has invariably supported my opinion. But orders are useless unless enforced. Last year the Darbar ruled that sales were illegal and yet during the past winter not one of the officials from the highest downwards paid any attention to the order. The Darbar has similarly passed several orders that the possession of villages by various persons is wrong, and is to cease; but I venture to say nobody has been dispossessed or will be. And, should the Darbar insist upon its orders being carried out, it will soon be face to face with a loss of revenue. It is therefore well to recognize that there is not the machinery wherewith to enforce orders, and further, that orders must be very carefully thought out before they are issued. I have put up these sample cases so as to familiarise the Darbar mind with existing facts, and it is because the orders passed are sometimes unworkable that I have thought it well to prepare a detailed report whereon, after full consideration, statemanlike decisions can be promulgated. The Darbar is trained to think that an order on paper settles everything. For example: I pointed out that petty private sales differ very much from transactions having for their object the creation of proprietorship over villages, and the Governor records his opinion that the cultivators believe they have "*milkiyat*" or ownership of their fields, and that they sell and mortgage such rights as they have, and that as, of course, the Darbar is the only owner, it does not matter if people do buy and sell their land. Upon this I am informed that there is no custom of sale or mortgage, and that all such documents are null and void. The Governor sees it is impossible to cancel sales, many of which are of old dates and have been practically sanctioned by preceding Maharajas, so he adopts the expedient of persuading his Highness is does not matter. But it does matter very much, for the exercise of rights of sale and mortgage create ownership. With the Governor's real position, however, I agree, namely, that it is too late, if it ever was possible, to declare that there are no rights in land. Let us see what the Darbar order, reiterated on every case sent up to it with monotonous persistency, amounts to. The richest lands in Kashmir are largely held by sale and mortgage. If the Darbar order is to be enforced, it means that all such holders are to be evicted and the original occupants put back. Of the latter, many have disappeared, and many would refuse the land, having got a fair price and given it up willingly. The only possible result would be that a large amount of revenue-paying land would be thrown out of cultivation, that the sense of both officials and peasantry being against the Darbar order, the land would not be accepted by anybody, and that the country would be full of discontented people with a just cause of complaint. So long as the Darbar confines itself to writing orders, nobody cares. But were it to attempt to dispossess any number of purchasers it would soon learn its helplessness. On the other hand, to declare the sale null and void, and yet to leave the purchaser in possession, brings authority into contempt.

Official utterance differs from official practice.

51. This a long preamble, but this country is so full of people who speak and advise one thing, and often the right thing, while they are doing its opposite, that I think your Highness will appreciate a frank attitude. And I am encouraged by remembering how ready your Highness has been to pay attention to my representations. Everything is presented to your highness in a satisfactory light. Nothing can be fairer or more common than to give out waste lands on easy terms. But almost nowhere else would it have been possible to substitute cultivated or temporarily fallow land for waste land. Revenue contractors are known in most States, but they have not always found it easy to convert themselves into proprietors with the rights of a permanent settlement. There is the most curious medley of ideas floating among the revenue records. If the country is anything, it is "ryotwari" in ruins, but the Punjabis have guided their correspondence upon zamindari or village-proprietorship principles, while the Bengalis have super-added the notion of settlements in perpetuity. Accordingly, one lot of officials try to prove they are village proprietors, and another lot that they are holders at fixed rates. I now pass to proposals for dealing with the land and existing rights in land.

52. To restore prosperity to the Valley, to replenish revenue, and to convert a discontented and thriftless peasantry into a contented thriving community the people must be given an interest in the land they till, the State demand must be fixed at a fair sum and guaranteed for a term of years, and a system of accounts must be introduced which will confine tehsildars within very narrow limits. It is to be clearly understood that the interests of the Darbar and the interests of the cultivators are identical, and that the interests of all middle men whatsoever, whether revenue farmers, tehsildars, or quâsi-proprietors, are inimical to both. The cultivators desire more food, and the Darbar more revenue, and the whole pundit class live by stinting both. The Darbar cannot protect itself without the assistance of the cultivators, nor is any land settlement likely to last which does not engage the active sympathies of the agricultural population in support of the State policy. This assistance and this sympathy can only be won by conferring upon the cultivators possession of the land they till. The Darbar claims to be proprietor of the land. The officials seek to persuade the Darbar that this position implies that the cultivators must have no rights; to maintain this theory, when cultivators have been dispossessed their complaints must be ignored; the rights of which the Darbar has thus deprived the cultivators and which the Darbar supposes it has reserved to itself, are immediately appropriated by the officials, and if the Darbar doubts this fact, let it attempt to apply the theory of "no rights" to the lands directly or indirectly in the possession of officials, and it will soon discern how strongly those rights have been buttressed under the blinded eyes of authority. The Darbar appears to be under the impression that it can govern much as a zamindar manages a private estate by farming with tenants-at-will. Any such delusion ought to be dissipated by the facts disclosed in this report, and the Darbar should be convinced that the only way it can preserve its own rights is by entrusting them under proper restrictions to the cultivators.

Proposals for dealing with the land.

53. I propose, therefore, that the settlement rules should declare that the land belongs to the State, but that a right of occupancy is conferred upon all persons entered as occupants in the settlement *jamabandi* in respect of all land entered in their account. The occupant is always presumed to be the person in possession and actually cultivating the land, directly or indirectly; but before the name of any person not belonging to the cultivating class is entered as occupant, inquiry will be made into his claim, and such claim will be recognised unless where the possession has been secured with the intention of intervening between the State and the cultivator, that is, of acquiring a right to collect the land revenue from the cultivators and to pay it to the State, or unless the Darbar, upon report from the settlement officer, sees proper to decide against such claim. This disposes of all fictitious agreements or sales between villagers collectively and third parties, because each cultivator will get a signed and stamped copy of his account, which will be his title to the land. The rule should further declare that the right of occupancy is hereditary, conditional upon paying the assessment which may from time to time be imposed upon the land, and that it is transferable by sale or mortgage between persons belonging to the cultivating classes, but that any sale or mortgage to a person not cultivating with his own hands must be first sanctioned and registered by an office specially to be constituted for that purpose under penalty of eviction and punishment. As existing possession is accepted unless reported against by the settlement officer, *bonâ fide* private sales and mortgages effected in the past are not interefered with, and no order need therefore be passed in respect to them.

Proposals with regard to cultivators.

54. With regard to chakdars and other intermediary holders, the authority granting the land should first be examined, for, as your Highness properly remarked, orders issued with the object of bringing waste lands under cultivation and benefiting the revenue could not be recognised as authority to officials to parcel out cultivated lands among themselves and diminish the revenue. The authority being accepted, the rules should confer an occupancy title on all such holders, but without rights of sale and mortgage except under sanction and registration as above prescribed. In regard to land held in excess of the grant, possession will be recognised unless on report of the settlement officer the excess is resumed. This provision removes all distinction between chakdars and cultivators as to tenure of land. With regard to cultivators under chakdars, the settlement officer should be entrusted with full powers to decide what cultivators should have right of occupancy under the chakdar, and he will usually give such right of occupancy in respect of lands reasonably believed to have been cultivated land, whether temporarily fallow or not, at the time of the chakdar's entry upon the *chak*, without regard to the time the present cultivator has been in possession, and whether he has recently been annually changed about or not. And he should also have

Proposals with regard to chakdars, &c.

power to confer the right of occupancy on any cultivator evicted since settlement operations began. This rule, which, if sanctioned, would be immediately announced, would to a great extent prevent chakdars evicting old cultivators wholesale as they are doing at present, and the exercise in one or two cases of the power to restore evicted persons would soon put a stop to the practice. The Darbar has, in my humble opinion, properly decided that the grant of permission to cultivate waste lands at reduced rates for a specified term of years does not confer upon the grantee any privileges in respect of assessment after the term of years specified has elapsed, and the settlement is, therefore, free to impose the same assessment upon a chakdar as upon any other cultivator. All the grant really confers is an occupancy title, and as that will now be universal, the *pattas* with the introduction of the settlement will become useless. But, though there is the right to impose a full assessment, I would not propose to do so. Many chakdars undoubtedly carried out the intention of the Darbar, and have reclaimed waste lands and supported cultivators at their own expense, and on others the Darbar certainly intended to confer a benefit. Accordingly, I would suggest that each *chak* be first assessed in the ordinary way at its full value, and that then, after a consideration of how and why the land was obtained, the expenses attendant on bringing it under cultivation, the treatment of the cultivators, the amount hitherto paid as compared with the land taken possession of, and other such points, the settlement officer should submit for the sanction of the Darbar such a reduction on the full assessment as may seem fair, and only this reduced assessment would be demanded during the term of settlement. The reason for this reduction is, that if the full assessment were levied there would be no room for a middleman, and it would neither be just nor politic to force out all chakdars. They have put a good deal of their capital into land, and with liberal treatment will put more, and if the cultivators under them receive protection, and they are required to pay a proper sum in respect of their holdings, I think their presence is useful, and that their disappearance would be a loss. Nor would I, though I have provided for the exercise of the power, extend too much artificial protection to these cultivators. In the khalsa lands, cultivators would in future have an assured and comfortable position, and, therefore, it is better to rely on the certainty that if chakdars do not deal fairly by their cultivators, the latter will revert to khalsa villages, where they will be welcomed. At present cultivators are better treated by chakdars than by tehsildars, and as they are mostly protected from seizure as coolies, chakdars, in spite of their occasional oppression, are on the whole popular, and they find little difficulty in attracting cultivators from khalsa lands, and in extending the limits of their estates.

Proposals with regard to waste lands, &c.

55. The rules would further specify that the right of occupancy is only conferred with regard to lands assessed at settlement, and that in respect to all other land or water whatsoever the Darbar is the sole owner, and that in assessed lands, all rights to mines, quarries, water, and certain trees are reserved. Under this provision, all waste land, roads, rivers, hills, mountains, &c., would be entered in the khalsa or Government account. But the rules would state that the Darbar recognises a collective village right of occupancy in the village site, in graveyards, in threshing floors, ponds, and other similar land entered at settlement in the "*shamal deh*" or village account. All culturable waste land will be assessed at settlement, and will hereafter be entered in the name of any cultivator agreeing to pay the assessment on it. The assessment on all land will be at a rate per ghumao for each block of land, and will be calculated for each field separately measured in the khasra, so that each cultivator will know exactly what he has to pay for each field. A proviso would also be inserted that in the event of any assessed land being required for any public purpose, the Darbar may resume such land.

Importance of regulating the distribution of water for irrigation.

56. I propose to reserve to the Darbar all rights in respect of water, because in Kashmir nothing is so important, or stands so much in need of control and organisation. There is usually abundance of water, but the tail villages, unless very strong in men, and so able to send up a contingent to fight for it, cannot get it, and much water runs to waste, and much irrigable land is dry. When the settlement has advanced, I shall hope to represent to your Highness the advantage that would accrue from obtaining the services of an experienced canal officer for one or two seasons to examine the available supply, and the existing channels, and to provide means for regulating and extending the distribution of the water. The expense would be nothing compared to the increased revenue. Everywhere there are traces of disused channels, and I feel convinced we could make existing irrigation more efficient, revive disused irrigation, and carry water to places where it has never been seen, at a really trifling expenditure. I am having channels, both existing and disused, mapped with care, showing whence

every field gets its water, and statements are being prepared describing the distribution of the water of each river and stream, and the share of each village in each channel. A general map is also being prepared for each tehsil, showing in one view all existing channels, and whence they take out. Till these documents with the areas irrigated and unirrigated in each village are ready it would be useless to apply for an officer.

Self-preservation requires that the Darbar should confer rights upon the peasantry.

57. It may be supposed that these propositions give away a good deal. In reality nothing is given away that is not already practically gone. The rules recognise the Darbar as ultimate proprietor, as immediately owning all waste lands, and with powers, in event of necessity, of entering upon any assessed land, and with all State rights in such land reserved. What the rules give it is the interest of the Darbar to give, and they give nothing that the Darbar could use in any other way. If it is the wish of the Darbar to prevent proprietary rights growing up, then that object can best be effected by defining what rights are given, and by entrusting the custody of those rights to persons who will not part with them. To say there are no rights is to leave a very clever body of men at liberty to pluck the Darbar as bare of land as vultures a carcase, and the Darbar, having no servants but those men, is just as helpless. If it is the object of the Darbar to get as much out of the land as possible then far more can be raised from a peasantry attached to their land than from hireling or forced cultivators, who have nothing to lose if they defraud, and nothing to gain if they toil. The Darbar will find that the assessment will be paid cheerfully and punctually and in annually ever-increasing amount, and when the period of settlement expires, an additional revenue will be obtained without expense or discontent. This is surely better than a declining income and wholesale land robbery and petty oppression which bring the Darbar nothing but loss and disrepute. What the Darbar really requires is a fair sum from each cultivator, and so long as that sum is paid it is not the interest of the Darbar to turn that cultivator out nor would the Darbar ever dream of turning him out. All that the Rules say is that the cultivators shall not be turned out. To this rule every pundit and official will object to the utmost of his influence and power, because it will effectually stop any acquisition of proprietorship over land, any more transference of revenue to their own pockets, any more plundering of Darbar and cultivator under pretence of developing the country. The rule will not leave an acre of land after three or four years unploughed and, I trust, few unwatered. It is the interest of the Darbar to maintain a revenue-paying cultivator; it is the interest of everybody with a chance of getting into his place to turn him out, and the better the land and the more the revenue paid, the greater is the hunger to turn him out. But a revenue-paying cultivator can only be turned out at the expense of the Darbar, for the man who takes the land can only make a profit by paying the Darbar less. Now this report shows that the Darbar cannot in the face of the increasing value of land and of extended knowledge of how to acquire titles and of the growing tendency to govern more in accordance with law and precedent, prevent its cultivators being turned out and its revenue pilfered. The one door of safety is for the Darbar to entrust its rights to the peasantry and with the peasantry on its side to begin to control the officials.

Serious opposition anticipated.

58. The Darbar will soon stand in need of allies. It is not improbable that the first interference with a chakdar will lead to a combination among chakdars to throw up their lands. To any such combination I trust the Darbar will reply by promptly accepting such resignations, and, at whatever temporary loss of revenue, maintain a firm position. With occupancy rights granted, the Darbar may rest assured the land could be re-alloted in a very short time at full assessment rates, which would soon recoup the loss. Interference with the sale of rice and throwing it open to a free market may not improbably lead to serious discontent among the city population. Here, again, firmness will be required, assisted by the loyalty of the agricultural population. But unless the peasantry are formed into loyal and interested supporters, it would be hopeless to encounter such combinations, backed as they would be by the whole official body. Recently our operations were brought almost to a standstill. It was believed the moment had come for turning us out. My men were disheartened, desertions were becoming numerous, and cholera was completing the rout. I went to your Highness and received such a support that our work was soon in full swing again, and the district officers were compelled to alter their tactics.

But when it comes to introducing and maintaining a settlement, your Highness will find opposition not so easily suppressed, and will recognise the necessity of building on the foundation of a peasantry determined to defend their lands and to maintain your Highness's authority.

Outstanding balances.

59. One or two other matters remain for comment. Jagir, maafi, and other wholly or partially assessment-free holdings are, after reference to the State records, entered in the settlement papers; but a rule will provide that the settlement entries in no way affect such lands pending further investigation. Outstanding balances constitute a very large aggregate sum. They will be dealt with village by village, and before introduction of settlement all such balances will have been reported upon and struck off, except a few that may be legitimately recovered. Most of these balances are purely paper entries used as a means to overawe the villagers, or to darken the accounts, or from want of any system of accounts. Let me give one instance taken from Jammu. A Babu, anxious to develop the country by getting control of a department, received permission to start indigo-growing. He built wells and tanks for the manufacture, and took up a good deal of cultivated land for growing the crop. He lasted about three years, at no doubt considerable expense to the State, but the effect on the villages was that the land taken up for indigo, and now ownerless and fallow, reverted to the village account, and its assessment is annually written against the villagers as outstanding. Similarly, if land is carried away by a flood, its assessment is never struck off. Of balances due to over-assessment, I have given instances enough. As a settlement must start clear of debt, all these balances will be summarily disposed of.

Forced labour.

60. Another matter urgently demanding attention is the manner in which *begar*, or forced labour, is managed. I am not prepared to say that it can be got rid of all at once. For example, for the Gilgit-expedition-transport resort to compulsion is probably necessary. But were your Highness aware of how orders are carried out many abuses might cease. At present chakdars' lands, jaghir and other specially assigned villages, villages secretly bought or in possession of officials or influential persons, are all exempt. I rode through a particularly nice village with a little bazaar, and the women and children looking to the trained observer in many little ways better off than the average. I said this village is doing very well, but was answered at once it belongs to so and so, mentioning a well-known official. No coolie can be seized in villages so protected, and that is one of the main reasons that the khalsa cultivators seek to transfer themselves to some nearer shelter. Consequently the whole burden of providing coolies falls upon the khalsa villages, and mostly on those too small and poor to attract anybody's care. Further, the way of collecting coolies occasions more discontent than is necessary. A requisition is made, say, for 500 coolies. The tehsildar doubles the number. His emissaries quadruple it, and so a village that ought to supply, perhaps, five coolies, is asked for twenty. Fifteen men have to buy themselves off. It is notorious that this year large sums have been illegitimately collected in this way, to the prejudice of the good name of the Darbar. Just as I ventured to recommend that the amount of *sháli* to be taken from each village should be fixed once for all and published, so I would suggest that one coolie per so many rupees of assessment be required to be furnished by each village. A roll would then be made showing how many coolies each village ought to furnish, and this simple expedient would in a great measure stop the oppression and bribery now going on. Eventually, in the Settlement Rules, I should propose to define for what purposes and to what extent, and by whose orders, *begar*, or forced labour, may be required, and to regulate its remuneration. At present an order to collect coolies sends most of the able-bodied population of a tehsil into hiding for a week or two, to the great detriment of agricultural operations, and a settlement could not exist side by side with such disorganisation of revenue-paying families.

JAMMU.

Depredations of game animals.

61. I started one party of measurers in the Kathuá Tehsil of Jammu, before leaving for Kashmir. This tehsil lies at the extreme east end of the strip of level country between the hills and the territory under the Punjab Government. It lies, therefore, furthest away from Jammu, and was represented to me as being most in want of early settlement. The River Ravi is its eastern boundary, and, from the abundance of water and the consequent rice cultivation, it has been called *chota*, or little Kashmir. It belongs to what is known as the Jasrota Zillah, which was bestowed by Ranjit Singh upon Raja Hira Singh, son of Dhian Singh, the brother of Maharaja Goláb Singh. He built the palace on Jasrota hill, the fort of Jasmirgarh, and tried to establish one or two market towns. But the tehsil of Kathua, and its western neighbour, the tehsil of Jasmirgarh, like palace, fort, and bazaars, have now gone to ruin, and large herds of nilgai, antelope, and pig wander over stretches of waste land, and have become so bold that, in spite of strong hedges and cultivators' din, they break into the cultivated lands,

render it impossible to sow outlying fields, and must lower settlement rates to a figure far below what the value of the land would otherwise permit. The cultivators have obtained leave to kill the animals if they enter their fields, but they do not care to shoot themselves, and, besides, no impression can be made unless regular shooting is permitted, which would soon drive the game into the hills. The whole country side complain bitterly, and, unless your Highness wishes to see a fertile tract almost laid waste, I would venture to suggest that the officers at Madhopur and other neighbouring stations be invited to shoot game, and put down a pest that is becoming intolerable. The nilgai are so numerous that large herds trot about the wheat fields of an afternoon, and the cultivators can do nothing. God gave the ground to grow corn for the children of men, and any law that stands between the children and their bread can only be maintained under a serious future responsibility.

62. The following statement shows the area measured in the tehsils of Kathuá and Jasmirgarh up to the 15th March 1888, when the establishment moved to Kashmir:— Outturn of work.

Tehsil.	Average Number of Tables.	Number of Squares.	Number of Fields.	Area in Kanals.	Number of Villages completed.
Kathuá - - -	20	1,257	6,156	1,64,060	55
Jasmirgarh - - -	93	2,793	18,459	3,66,230	164
Total - -	113	4,050	24,615	5,30,290	219

In Kathuá work began in April 1887, but the man in charge, though an old state employé, being inexperienced, the outturn was very small. I inspected the work during the cold weather, and found the measurement correct, the papers faulty, and a general neglect to report for orders questions regarding tenures and other important matters. The party of 20 tables in 11 months turned out less than 15,000 kanals per mensem, at a cost of Rs. 4–8–5 per 100 kanals reduced by fines to a cost of Rs. 3–14–6. When I began to fine, the cost had run up to Rs. 10–4–2 per 100 kanals, and, after I had cut nearly Rs. 900, the cost fell to Rs. 2–5–4. During the time the Kashmir establishment were working, they turned out nearly 30,000 kanals per mensem per 20 tables, at a cost of Rs. 2 per 100 kanals. I mention these facts because it has been represented that I was hard on the Kathuá party. Let alone the expense, I think some severity was justified when I observed a total disregard of the cultivators, so much so that I came across a tree that had been ruthlessly felled in a field of standing sugar-cane. As I have been able to obtain no revenue returns for the Jummu districts, I am unable to frame any estimate of the cost of settling this part of the country. Settlements have been made at various times, and lately Raja Amar Singh has issued stringent orders to make the papers over to me, so, possibly, next cold weather I may be in a position to supply the deficiency.

63. The lands to be dealt with in these tehsils comprise, first, the rice lands irrigated from the Ravi and Ujh rivers, the soils under the former being generally blackish and loamy, and under the latter river reddish and lighter. All rice lands are known as "*Pel*" whether irrigated or low lying, and therefore "*sailab*," or dependent upon rainfall. Consequently they are entered in our papers as *Pel abi*, whether rice grows with or without irrigation, or *Pel Barani*, where, as in the lower hills, fields are banked to collect the rain-water. Manure, which is known as *Hel*, is a great deal used, but generally for the home lands called *Gora*. It is chiefly employed for vegetables, tobacco, halad, and such valuable crops, but is also applied to rice fields. If a man has rice close to his house he would manure it; if not, and he has manure to spare, he will spread it thinly over his more distant field or thickly in one portion of it. There is no rule, and no possibility of check on the khasra entries, and I found the insertion of the word *hel*, thus left to the measurer's discretion, was giving rise to dissatisfaction among the cultivators, and was probably a method of extorting money. To assess land higher near a village is legitimate, because it is worth more than the distant fields; and, similarly, where a compact area of more or less manured land is found, because it may be presumed that if the manure goes to that particular area the land has special qualifications; but with an area of land exactly alike, to pitch upon a field here and there because it happens to get Classification of lands and soils: (*a.*) Irrigation.

a little manure which it may or may not get in succeeding years, is unwarranted. Accordingly I prohibited the use of the word *hel*, and in its stead substituted *gora*, which is easily recognised by the eye, and leaves nothing to the measurer. The *gora* lands may be irrigated or unirrigated. There was also a good deal of quarrelling over *mund* and *pand*, by which terms are meant fields near to and distant from the water source. I directed that these terms should be confined to entire villages, about which there can be no mistake, and that within a village no distinction was to be made. I thus sapped another source of income of the measurer. To decide whether fields do or do not get enough water within a village is a most difficult task, and about which the villagers are by no means agreed. As no man has all his land in one part, I think it will be unnecessary to descend to the detail; if in any village any considerable area suffers, it will be blocked off when inspecting the village for settlement; and, if any particular cultivator does happen to have his holding in a badly situated place we can do as was done in Meywar with success, inquire into his complaint after settlement, and adjust his account accordingly. The superior rice lands are *dofasli*, that is, after the rice is cut they bear an inferior rabi crop in good years. Very marshy ground, which can only in dry years produce a crop, is called "*bail*." Besides rice, there is irrigation, especially going westward, when the rice cultivation is left behind, from wells and dinglis. This may be *dofasli* or *ekfasli*, but whether the distinction is a sound one I have not fully determined. There is also irrigation, chiefly of rabi crops, as wheat, jau, &c., by flow. This is called *warhál*. The irrigated area is therefore thus classified :—

- *Abi*, or irrigated by flow.
  - By wells or dinglis
    - *Dofasli*, or double cropped.
    - *Ekfasli*, or one crop.
  - *Gora*, or manured homelands, chiefly tobacco, vegetables, &c., &c.
  - *Pel* or rice lands
    - *Dofasli*, or with capability of a rabi crop.
    - *Ekfasli*, or solely rice.
    - *Bail*, or swampy.
  - *Warhál*, chiefly wheat and jau, but including any regularly irrigated land, not rice, whatever the crop.

(*b.*) *Sailab* and dry soils.

64. The next division is into *sailab* or moist, and *barani* or dry soils. Much of the land below the outer hills is a rich sandy loam that produces sugar cane in abundance, without irrigation, and excellent wheat crops. In our papers, this *sailab* land is divided into *dofasli*, including tobacco and cane, and *ekfasli*. Not that there is any intention of assessing by the crop rather than the land, but that the extent to which the more valuable crops are grown is an index to the value of any particular area. The dry soils are subdivided into *gora* or those near a village, and so regularly manured; *pel barani* already explained; *warhal*, or rabi, growing year after year, wheat, barley, &c.; *bajrini*, or kharif, growing only rain crops, the chief of which is bajra; *ekfasli*, or lands growing rabi one year and kharif the next, and embracing probably the majority of the dry soils; and, last, *kheri*, or frequently fallow lands, which include all the upland and inferior ground, mostly very stony. This classification of dry soils is not field by field, but represents blocks of land similarly circumstanced, and extending over several villages. The southern edge of Kathuá and Jasmirgarh, speaking roughly, south of the main road (unmade) leading from Jammu to Pathánkot, lies within what is known as *chak audar*, a well watered and rich tract, to which probably general rates will adapt themselves easily, say one for homelands, another for rice, another for other irrigation, and one rate for all dry soils. North of this strip, and between it and the outer hills, is a much drier area, on a higher level, with water at too great a depth to be available. Here and there a cut has been effected from some stream, the chief of which is the now nearly useless Kashmir canal, taking out from the Ravi. This middle strip is called the *palla*. In it great portions are waste. The soil is generally good, and with water would be capable of high fertility. I have recommended that, when an irrigation officer is got for Kashmir, the rivers issuing from the outer hills should be professionally examined, with a view to securing a water supply for this valuable land. Easily treated, I have no doubt it will all be taken up on settlement, but the rates will have to be low enough to allow for frequent dry seasons and consequent fallows. North of the *palla* the outer hills are reached, and here the villages become hilly, and vary according to situation. We have not broken ground in the hills yet.

Difficulty of getting information.

65. In the Jammu districts cash rates prevail, and these only require regulation and equalisation to rapidly repopulate the tehsil from the teeming villages across the border. The destruction of the country has been ignorant over-assessment, accompanied by a wanton disregard of the rights of property. As in Kashmir, a revenue that ought to be

increasing is declining, though the accounts are so prepared that the fact may for a time escape notice. I am, unfortunately, in a worse position than even when depicting the state of things in Kashmir, for the Governnor of Jammu has not vouchsafed a scrap of paper, and his replies to my inquiries are generally confined to a few words recorded by an under clerk, which usually convey nothing, and which the Governor avoids endorsing. Then I have only had opportunity for a couple of months' tour. In spite of these disadvantages, I think I may hope to adduce sufficient evidence to convince your Highness that a settlement is not less wanted in the Jasrota zillah than in Kashmir. The zillahs nearer Jammu are, I believe, better managed, and, though unequally assessed, struck me during a rapid transit as showing signs of some prosperity, and displaying no open discontent.

Land tenure.

66. In Jammu the villages are held in proprietorship by persons descended from the original settlers. These are mostly Rajputs, Brahmans, Thakars, &c. Each proprietor usually has his separate share, and cultivates, to a certain extent, himself. Of the cultivators many are of long standing, others are tenants-at-will, and some villages have hardly any settled inhabitants, the lands being tilled by labourers from the hills, who squat in reed and mud huts till the harvest is over, when they return to their homes. Prior to and under the Jasrota Raj, it was the custom to collect the revenue by *batai* (or division) and *kankut* (or estimate) of the crops, the State taking one-half from owners, two-fifths from cultivators resident in the village, and one-third from those belonging to another village. The proprietors levied a "*hak biswi*" from all cultivators, amounting to 10 *topas* per *goond*, or nearly one-twentieth, and if any cash settlement was arrived at, they agreed for the amount and paid it, collecting from the cultivators in kind as before. Villages are also held in joint proprietorship. The general tenure was, therefore, village proprietors with mostly *khewati asamis*, or hereditary cultivators, under them.

Previous settlements.

67. Between S. 1917 and S. 1935 (A.D. 1860 to 1878) various cash settlements were made, the first apparently by Diwan Thakur Dass (now Governor of Jammu), which was shortly afterwards raised by 25 per cent., followed by land measurement and the preparation of settlement papers. In many villages the assessment was unduly enhanced, and owners and cultivators fled, and the bad season S. 1934 (A.D. 1877–78) followed and added to the disorganisation, to be succeeded by a worse scourge. In S. 1935, General Devi Singh was made Vazir Vazarat, an ignorant man who could barely write, whose name is execrated by the people, and whose short rule desolated a flourishing zillah, reducing its revenue from about 3½ lakhs to about 1¾ lakhs of rupees, or by one-half. Large numbers migrated to the Punjab, and everywhere, in deserted villages, in fields overgrown with jungle, in neglected irrigation, in houses in ruin, in a peasantry depressed, discontented, and broken, is General Devi Singh's name written in characters that 10 years have not effaced. Mistaking famine prices for prosperity, he attempted to raise the demand to about double, and when the cultivators disappeared he used measures which so dislocated the agricultural community that it will be a task of the utmost difficulty to restore confidence in the Government and goodwill among each other. He made a list of ploughs per village, not universally, but for those villages which were more or less deserted or heavily in arrears, and divided the land at six ghumaos per plough in irrigated villages and at 12 ghumaos per plough in dry villages, without reference to existing possession. He thus not only ousted any owners that were left, but if he found a cultivator with, say, five ploughs and 70 dry ghumaos, he took away the extra 10 ghumaos and allotted them to somebody else. His assessment in wet villages was about Rs. 5 per ghumao, and in dry at Rs. 10 to Rs. 20 per plough, but there were additional taxes besides. After this distribution, he divided the remaining land among the sepoys and servants of the State in lieu of pay, and called it *Leri*. Any land still undisposed of and all waste he styled *Dag Sarkari*, and entered it as belonging to the State, and any subsequent cultivation in this State land was to be held at the old *batai* rates. Under this extraordinary settlement the land tenures have become very confused. In some villages the original owners and their relations to their cultivators are untouched and there is neither *leri* nor *dag* land. In others, no owners are left, but there is a double tenure, the cultivator being owner of his *Halsári*, or plough lands, and only tenant of fields originally included in the *dag* overplus, and paying cash for one field and giving *batai* for another, though all the land may have been equally long in his possession. In many villages the owners, or some of them, are still living ostensibly with with only *halsári* land like cultivators, but getting the *hak biswi* from the cultivators as though nothing had happened. Often where a cultivator's overplus was made over to another cultivator who had too little, the latter pays the *hak biswi* to the former in

respect of such overplus. And generally, it may be said, that where owners still exist, the cultivators recognise their right as proprietor, even where the cultivators have ceased paying the *hak biswi.*

Obstacles to increased cultivation.

68. The confusion in the cultivated lands is bad enough, but it is worse in the *leri.* Of course sepoys and other servants could not be spared sufficiently to admit of effective cultivation and could not live upon waste lands, and, consequently, that plan of remunerating them was generally abandoned. But the appraised value of the *leri* lands is still kept as an item of the village account, and as it can no longer be balanced against wages it is an outstanding balance against the village. In this way about 80,000 rupees have accumulated as paper arrears in one tehsil alone. And sometimes the *leri* land for which the village is thus charged is not even in the village, but away in the hills. *Leri* lands are thus kept out of cultivation, because a man does not venture to plough land valued at, say, Rs. 15, for which he could only pay, and the tehsildar ask Rs. 5, but for which he would be debited with Rs. 10 arrears annually, which in process of time, under a new tehsildar, would possibly be more or less recovered from his other land. The position of *Dag Sarkari* land is quite as unsatisfactory. The first act was, of course, to follow the Kashmiri idea, and parcel a good deal of it out in *chaks* among the officials. The result was not successful. Cultivators and proprietors being made here of stouter stuff, cultivated land was not easily obtainable, and the *chakdars* having no mind to spend any money, and not being able to attract cultivators, few of them ever took possession of their grants. But though the *chak* lands are jungle, no one cares to enter upon them for fear of a claim being made. With regard to the rest of the *Dag Sarkari,* villagers are very shy of ploughing more than is absolutely necessary for subsistence, because no rights are given in this land, and when a man has cleared and fenced it, and made it worth having, he may find himself turned out. The insecurity is so great that Punjab cultivators will not take up land without a *patta,* which the district officials are afraid to give, and so refer to Jammu, and by the time anything is done the applicants have disappeared. Besides which the villagers resent the giving of their waste land to outsiders, and generally succeed in driving out the settlers, who have got better terms than themselves, and who deny the proprietors their dues.

In strong villages the tehsildar prudently abstains from meddling with *Dag Sarkari* land. Consequently General Devi Singh not only drove out half the existing cultivators, and did his best to leave materials for permanent quarrelling in every village between those that remained and the old proprietors, but his scheme has effectually prevented any extension of cultivation since his ill-starred interference. Statistics are not yet ready, but the waste area is being classified into waste which has been fallow for more than eight years and less than eight years, and the latter is being sub-divided into formerly irrigated and dry, and, when ready, these figures will support my contention. Meanwhile an instance or two must suffice. Kathuá itself is a fine village, but General Devi Singh's heavy assessment led to a large amount of land being mortgaged, and latterly the insecurity has become so great that mortgages cannot be effected without giving up possession. I came across near one of my camps a large extent of rice and wheat lands unsown and unirrigated, the cultivators had fled from General Devi Singh into British territory, and one village was totally deserted and paid nothing, and the other furnished only from one-half to one-third of what it used to pay. Quite a little list of villages thus ruined could be cited.

Necessity of recognising the rights of proprietors.

69. Without righteousness it is impossible for government to last. The cry of the poor does not always distress human ears, but it never fails to bring destruction to the government that neglects it. General Devi Singh's unjust assessments in part drove the proprietors away, and then he took possession of their villages in name of the State, and in part made them unable to pay, and then to meet the arrears he either bought the owner's right for the State, or took it in mortgage, or attached it. Consequently some owners are not, some have their rights mortgaged to the State, others have their rights denied. The cultivators mostly sided with the owners. In exchange for this attempt to remove ancient landmarks, the State has lost nearly a couple of lakhs of rupees of annual revenue and has got a possession that nobody will cultivate. In addition, the Government has lost its good name, and in place of affection, fear and mistrust fill the hearts of the people. There is but one course open, and that is to record the ancient proprietors as owners wherever they are found. This not a matter of any difficulty, because there are few disputed cases. This done, cultivation will immediately extend, for it will be the owner's interest to extend it instead of, as now, strenuously to oppose any land being given away. Further, it will extend easily, for the delay and expense of

reference to the district officials will be avoided. Where there are no owners, or where the claim is not sufficiently strong and recent to be recognised, the village should be entered as *khalsa* in the usual way.

70. With regard to cultivators, it is impossible to interfere now with existing possession. In a few instances the cultivators wish to exchange their lands and revert to their former holdings. This may be permitted. All old or so-called *khewati* cultivators should be entered under the owners as hereditary occupants, and as far as may be possible and just, with due regard to existing facts, all other cultivators, and after settlement all land will be given out on the same occupancy tenure, subject to owner's right, as was proposed for Kashmir. The former settlement papers, which I have already alluded to would supply a valuable assistance in ascertaining the *khewati* cultivators, for they were prepared before General Devi Singh turned things upside down. It is necessary to have the goodwill of the owners and to carry the feeling of the people that their legitimate rights have been respected. It is not necessary to go beyond that and allow them to make undue profit under a settlement they have spent nothing to get. And it is necessary to have a hereditary peasantry in order to have a stable revenue and a contented people. As far as I can gather from examination of old custom and much questioning before any one knew my intentions, the owners have not as a body exercised any rights beyond the levy of the *biswi hak*, though some have lately endeavoured to oust or change about cultivators with a view of setting up a more complete proprietorship. This view is in conformity with custom in other parts. The State is in many places the owner of the lands, but once it gives permission to cultivators to settle and clear the land, the right of the State becomes restricted to a levy of the assessment, in kind or cash. And similarly where these cultivators invited others to help them, old custom secured to the latter hereditary possession, subject to a more or less nominal grain rent to the owner. The power of eviction appears to have been restricted to that land which an owner or cultivator reserved for himself, but which he could not conveniently cultivate either by himself or by hired labour. Under the ancient *batai* system the State dealt with each cultivator whether owner or not, and since if there is no crop there is no assessment, it stands to reason the power of eviction must have been restricted to where another cultivator could be immediately put in, for the State would not be likely to permit an owner to decrease its revenue. The evil spirit of eviction must not be allowed a footing either in Kashmir or in Jammu. Under these provisions the owners would be entitled to the *hak biswi* in every case where there are not good reasons for refusing it. Undoubtedly some cultivators have never paid it, and some owners lost their position before General Devi Singh was heard of. The cultivators would nearly all get the same tenure as, I trust, will be granted for Kashmir, subject only to the addition of paying owner's right. The settlement would be made with each cultivator. The question of waste land settles itself, for rights would be reserved, in default of the owners being able to extend cultivation, to give out waste land on the occupancy tenure subject to payment of owner's right, and for all increased cultivation increased assessment would be payable at rates fixed at settlement. I apprehend that these regulations would meet with the approval of all the parties concerned, and that with a fair settlement the Jasrota Zillah would quickly regain its ancient prosperity. I believe within a year or two after settlement the whole land would be taken up and paid for. Across the border are numerous applicants only waiting for security of tenure. Chakdars, not in possession before our operations commenced, ought not to be allowed to take possession now. The same State rights would be reserved in Jammu as in Kashmir.

Proposals for dealing with cultivators.

Conclusion.

71. I have now laid before your Highness my proposals for dealing with the land in Kashmir and Jammu. Should these proposals meet with approval they will be embodied in a Code of Settlement Regulations and submitted for final sanction before the introduction of the settlement in the first tehsils. My account of what is in progress under your Highness's authority but against your Highness's interests has been long because I stand alone, and my mere assertion that the State treasury was being depleted, and the poor were being turned out of their lands, and the staple food of the people had become a monopoly of the officials, would not be believed. I appeal to your Highness with some confidence, because I have been impressed during my interviews with the belief that your Highness has a ready sympathy for the poor, a keen interest in

Concluding remarks.

land questions, and a determination to protect the cultivators against the officials. But my heart fails me when I think that there is no one among those who surround your Highness from whom I can venture to hope for a word in support of my prayer, that one and all will use every argument to persuade your Highness that my proposals will be detrimental to the traditions, the policy, or the dignity of the State; that they are impossible, and that neither the rice nor the land ought to be trusted out of official custody. I remember how carefully your Highness had been prepared to be firm on two points, one, that the "*Hak malikana*," or proprietorship of the land in Kashmir, belonged to the Maharaja, and second, that no settlement should be announced till the whole country was measured and ready for settlement on one day or the Government could not be responsible for the rice supply. I remember also with what cordial approval your Highness's remarks on these points were invariably received by the high officials present. The first position they well knew secured to them the power of terrorising over the defenceless cultivators, and continuing their methods of acquiring the proprietorship of the lands for themselves. And the second position would keep my department from interfering with these practices for years, and as the first papers would grow obsolete before the last were prepared, they knew that if that condition could only he maintained the settlement would never come at all. Your Highness, however, was soon convinced that to indefinitely postpone the settlement, however desirable from the point of view of the officials, was a serious danger, and I have since been urged to prepare tehsils for settlement as soon as possible. But the first position is still preserved, and though your Highness has listened with patience I cannot hope I have prevailed. Yet, unless the cultivators are guaranteed possession of the lands they till, a cash, or partly cash and partly sháli, settlement is impossible. If the cultivators are to work hard, pay punctually, and keep the treasury fuller than it has ever been before, they most not be the hopeless, discontented, depressed class they are now. The State cannot expect to get everything and give nothing. And behind a strong contented peasantry there must be persons ready to lay out capital when necessary. But who will lend money to a cultivator who may be turned out of his fields any day? Your Highness may think an order not to turn anybody out would suffice. It would be useless when the cultivators themselves are ready to transfer all and any rights they have, to accept any position, any field, so long as they get some shelter, and the officials are eager, by every device known to educated and clever men in a position of untrammelled power, and all working with one object, to convert themselves into proprietors, to manufacture prescriptive rights to intervene between the State and the cultivator, to finally arrive at the coveted end when the Pandits shall be landlords, the cultivator's tenants-at-will, or, rather, coolies who cannot escape, and the State demand limited to a nominal sum per kharwár which lapse of time and ingenious interlarding of words will combine to make permanent.

Possibility of Leases.

72. I have considered if leases for the term of settlement or for some longer period would not suffice to give that stability to the cultivator without which settlement is impossible. If he is to sell his produce, buy cattle and seed, enter into banking arrangements, who is going to contract or to open accounts with a day labourer, a man who, when he is turned out, wanders about with a petition in his hand for months? If your Highness looks for revenue the cultivator must have a right to remain in possession, and it is, I feel sure, your Highness's wish that he should remain in possession. The only question, therefore, is for how long ought the right of possession to be conceded. A lease for a long term, say 30 to 50 years, would doubtless effect some good. But at the end of the period the State would no more desire to evict its cultivators from their lands than it does now. All the State desires now or would desire then is to receive such assessment as may from time to time be fixed. And the lease would fail to give the cultivators confidence, would fail to attach them to their lands by that bond which the hereditary privilege forges, and while the cultivators would thus be left half-hearted and aimless, the State would gain nothing, since the leases would certainly be renewed. Under the safeguards and with the limitations I have indicated, I respectfully urge that the cultivators be confirmed in possession from father to son. Without this the cultivators will not seek to protect their lands, and I do not see how your Highness, single-handed, is going to preserve those lands from the hungry grip of the officials who

must be entrusted with power. Most of these abuses took their rise under the easy and benevolent rule of Maharaja Ranbhir Singh, and of late years they have assumed larger proportions. Until now attention has not been prominently drawn to the matter. On behalf of the Muhammadan cultivators of Kashmir and the Hindu proprietors and cultivators of Jammu, I now, however, appeal to your Highness to guarantee their ancient rights, and, where these may be wanting, to confer them, and by so doing to safeguard the interests of this State, increase its prosperity, and give happiness and contentment to the thousands of your subjects who furnish the State revenue. The administration of this State has been at times unfavourably reviewed. Your Highness has not yet had an opportunity of introducing reform, partly from want of knowing what to do, partly from want of power to do anything. The officials are many of them men of ability, but they either will not speak, or hesitate to speak. And whether an order is obeyed or not depends upon the pleasure of the district officers. The silence has now been broken, and in my department your Highness has an instrument for ensuring that orders are carried out. The State administration is undoubtedly out of order. It has pleased God to entrust to your Highness great responsibilities. This is a signal occasion, on which you can discharge these responsibilities with satisfaction to your own interests, as head of the State, with profit to the treasury, and with untold and far-reaching benefit to your subjects, and by doing so your Highness will, by one righteous and beneficent act, step into the first rank of Indian administrators, and your name will be uttered with blessing by your people, whence peradventure blessing may rest upon your Highness and your Highness's house.

Renewed obstructions.

73. I cannot conclude without representing that the conditions which environ my department are most unfavourable to good work. Your Highness's back it no sooner turned than the measurers again suffer from obstruction. Coolies are seized, not only from villages under survey, contrary to your Highness's positive command, but even the parties are interrupted, and chain drawers and flagbearers are dragged away. Recently the Judge has begun to receive complaints against my subordinates for assault and the like, and to issue process against them. Considering they are Punjabis working for your Highness, in a country where they cannot even understand the language, and that a dozen Kashmiris can be made to give any evidence an offended *chakdar*, or official, instigates, my subordinates are not likely to consent to work absolutely alone in isolated villages, with the prospect of appearing in criminal courts. My subordinates have a most difficult task, and are exposed to every temptation. Except that they evince a timidity to report upon influential persons, they have done their duty. To my assistant it is specially creditable that he has maintained an independent and fearless attitude. But as the object is to dishearten, to coerce, and to thwart till our work is stopped, it is my duty to state plainly that unless your Highness gives us open and unmistakeable support, and unless it is understood that it is your Highness's unalterable intention to support us through good report and evil report, the forces arrayed against us are too strong, and with any sign of wavering upon the part of the Darbar our situation would become too dangerous for continuance. Assured of the Darbar's support, we are ready to do our best in the future as we have in the past, and to report and act as fearlessly, whether we have to comment upon governor or judge, vazir vazarat or tehsildar; but we must feel that in all matters we look to your Highness only, and only to your Highness personally can we be subordinate.

A reason why we are objectionable.

74. I close with one instance of the sort of feeling with which we must be regarded. I have insisted upon measuring up every *chak* or grant of land with the village from which the land was taken. For example, a *chak* made out of part of the lands of three villages is ignored by my department as an entity, and, being measured up with the villages, is split into three parts. Similarly, within a village no notice is taken of the *chak* boundary. We thus measure up *chaks* with complete indifference to their existence, treating them as so many fields and their owners like any other landholders, merely, where a *chakdar* holds his land in more than one village, making up a combined account for convenience. The reason of this order is that to agree to measure every *chak* as a village or as a separate estate would be a material strengthening of the owner's pretentions to be, not a grantee of waste lands at temporarily privileged rates, but a proprietor of a village. Many means have been tried to evade this order, and the great chakdars bitterly resent it, but they cannot answer the objection that we measure villages, and that no grant of a village was ever made to them. At one stroke we break down a structure they have been years in erecting, and your Highness is reinstated as ultimate owner and landlord, with right to assess as may appear just and proper. Such an order, however necessary in the interests of the State, is a real and substantial

grievance with every pundit and official, rankles in their heart, and combines them in one common purpose to get rid of a department that, bribe, cajole, coerce, as they may, goes on measuring according to orders. It is for your Highness now to decide whether the Maharaja is to be master in his own territory or not.

I have, &c.,
(Signed) A. WINGATE,
S.O., Kashmir.

STATEMENT A.

LIST OF ZILLAHS AND TEHSILS IN THE KASHMIR VALLEY IN 1887 (*S.* 1943).

No.	Zillah.	No.	Tehsil.	Villages.	Revenue Chilki Rupees.
					Rs.
1	Shahr Khas or Srinagar -	1	Yech - - -	85	1,01,190
		2	Nagam - - -	95	1,11,194
		3	Vihew Nahama - -	74	87,712
		4	Lâl withsair Mogia Pain -	142	97,481
		5	Phak - - -	116	96,929
		6	Donsu Machhama - -	151	1,27,297
		7	Mir Behri (Dall Lake) -	12	32,275
			Total - -	675	6,54,078 (or Rs. 969 per village).
2	Haripur or Shupeyon -	1	Devsar - - -	141	1,23,214
		2	Shupeyon - -	137	1,19,378
		3	Tral - - - -	67	1,08,070
		4	Charsu - - -	92	1,14,063
		5	Ram Patri - - -	121	1,16,634
		6	Chirat - - -	65	1,06,822
			Total - -	623	6,88,181 (or Rs 1,104 per village).
3	Kamraj or Wular Lake -	1	Uttar Machipura - -	148	92,868
		2	Hamalzainagir - -	131	1,09,557
		3	Khuihama - -	60	72,132
		4	Mahal Sangara (Wular Lake).	51	37,397 (and 46,075 kharwars)
		5	Krohan Baramula - -	108	1,06,621
		6	Biroh Magam - -	160	93,590
		7	Patan - - -	120	1,06,226
		8	Chakla Drugmula -	10	22,063
			Total - -	788	6,40,454 and 46,075 kharwars (or Rs. 812 per village).
4	Anantnag or Islamabad -	1	Anantnag or Islamabad -	81	1,07,861
		2	Sahebabad - -	52	93,511
		3	Harkora Bring - -	52	87,595
		4	Sri Ranbhirsinghpura -	63	91,483
		5	Khorpura Martund -	91	91,313
		6	Dachanpura - - -	61	1,06,449
		7	Kreva Ranbhirpura -	1	11,144
			Total - -	401	5,89,355 (or Rs. 1,469 per village).

ABSTRACT.

No.	Zillah.	No. of Tehsils.	No. of Villages.	Revenue Chilki Rupees.
				Rs.
1	Shahr Khas or Srinagar - -	7	675	6,54,078
2	Haripur or Shupeyon - - -	6	623	6,88,181
3	Kamraj or Wular Lake - -	8	788	6,40,454 and 46,075 kharwars
4	Anantnag or Islamabad - - -	7	401	5,89,355
	Total - - -	28	2,487	25,72,068
	Average per zillah - - -	7	622	6,43,017
	Average per tehsil - - -	—	89	91,860
	Average per village - - -	—	—	1,034

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RETURN to an Address of the Honourable The House of Commons, dated 12 June 1890;—*for*,

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India Office, June 1890.

A. GODLEY, Under Secretary of State.

(*Mr. John Ellis.*)

Ordered, by The House of Commons, *to be Printed*, 23 *June* 1890.

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THE CANTONMENTS ACT, 1889.

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THE SCHEDULE—ENACTMENTS REPEALED.

COPY of CANTONMENTS ACT, 1889, and any RULES made under Section 26, Sub-section 21, and under Section 27, of the same.

ACT No. XIII OF 1889.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the* 11*th October* 1889.)

AN ACT TO AMEND THE LAW RELATING TO CANTONMENTS.

WHEREAS it is expedient to amend the law relating to Cantonments; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Title, extent and commencement.

1. (*1*) This Act may be called the Cantonments Act, 1889.

(*2*) It extends to the whole of British India, inclusive of Upper Burma; and

(*3*) It shall come into force on such day as the Governor General in Council, by notification in the Gazette of India, appoints in this behalf.

Repeal.

2. (*1*) On and from that day the enactments specified in the schedule are repealed to the extent mentioned in the third column thereof:

(*2*) But all orders, declarations, rules and regulations made, directions, licenses and permits given, taxes imposed and notifications published under any enactment repealed by this Act or under any enactment repealed by any enactment repealed by this Act, and all limits defined as the local limits of a cantonment with the approval of the Governor General in Council or a Local Government before the passing of this Act, shall be deemed to have been respectively made, given, imposed and published, and to have been defined, under this Act.

(*3*) Any enactment or document referring to any enactment repealed by this Act, or to any enactment repealed by any enactment repealed by this Act, or to any Regulation of the Bengal, Madras or Bombay Code respecting the fixing of the local limits of cantonments and military bázárs, shall, so far as may be, be construed to refer to this Act or to the corresponding portion thereof.

Interpretation.

3. (*1*) In this Act and in the rules thereunder, unless there is something repugnant in the subject or context,—

(*a*) "officer" means—

(*i*) a person who, being an officer within the meaning of the Army Act, 1881, is commissioned and in pay as an officer doing military duty with Her Majesty's regular forces

44 & 45 Vict., c. 58.

forces as defined in that Act or as an officer doing such duty in any arm, branch or part of those forces, and

(ii) a person doing military duty as a warrant officer with those *forces or with any arm, branch or part* thereof, whether he is or is not an officer within the meaning of the Army Act, 1881:

(*b*) "soldier" means a person who is a soldier of Her Majesty's regular forces within the meaning of the Army Act, 1881, and is not an officer within the meaning of this Act:

(*c*) "spirituous liquor" means any fermented liquor, any wine, any alcoholic liquid obtained by distillation, and the sap of any kind of palm-tree, and includes any other liquor consisting of or containing alcohol which the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the official Gazette, declare to be a spirituous liquor for the purposes of this Act:

(*d*) "intoxicating drug" means opium, ganja, bhang, charas and every preparation and admixture thereof, and includes any other intoxicating substance or liquid which the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the official Gazette, declare to be an intoxicating drug for the purposes of this Act: and

(*e*) "owner" includes the person who is receiving or entitled to receive the rent of any building or land, whether on his own account or on behalf of himself and others or as an agent or trustee, or who would so receive the rent or be entitled to receive it if the building or land were let to a tenant.

(**2**) The provisions of the General Clauses Acts, 1868 and 1887, shall, so far as they can be made applicable, apply to all rules which may be made under this Act by the Governor General in Council. I of 1868. I of 1887.

CHAPTER II.

CANTONMENTS AND CANTONMENT AUTHORITIES, COURTS AND POLICE.

Cantonments.

Definition of cantonments.

4. (*1*) The Local Government, with the previous sanction of the Governor General in Council, may, by notification in the official Gazette, declare any place in which any of Her Majesty's regular forces are quartered within the territories administered by such Government to be a cantonment for the purposes of this Act and of all other enactments for the time being in force, and may withdraw any such declaration.

(**2**) The Local Government, with the like sanction, may also, by a like notification, define the limits of any cantonment for the like purposes.

Cantonment Authorities and Magistrates.

Cantonment authority and Magistrate.

5. For every cantonment beyond the limits of a presidency-town there shall be a cantonment authority and a Cantonment Magistrate.

Cantonment authority.

6. (*1*) The expression "cantonment authority" as used in this Act means a cantonment committee or, in the case of a cantonment for which such a committee has not been constituted, the commanding officer of the cantonment.

(**2**) The Local Government shall determine, with respect to every cantonment in

in which troops are for the time being quartered, whether or not a cantonment committee is to be constituted.

(*3*) The cantonment authority shall be deemed to be a local authority as defined in the Local Authorities Loan Act, 1879, Act XVIII of 1883 (*to amend the Cattle-trespass Act, 1871*), the Indian Telegraph Act, 1885, and the General Clauses Act, 1887.

XI of 1879. I of 1871. XIII of 1885. I of 1887.

Cantonment Magistrate.

7. The Cantonment Magistrate shall be a Magistrate appointed by the Local Government under section 12 of the Code of Criminal Procedure, 1882, and, as such, subordinate to the District Magistrate or to the District Magistrate and the Subdivisional Magistrate, as the case may be, under section 17 of that Code.

X of 1882.

Cantonment Court of Small Causes.

Appointment of Cantonment Magistrate as Judge of Cantonment Court of Small Causes.

8. (*1*) When the Local Government appoints the Cantonment Magistrate to be the Judge of a Court of Small Causes established within a cantonment under the Provincial Small Cause Courts Act, 1887, it shall, in its order appointing him to be such Judge, declare, and may by notification in the official Gazette vary, within a limit of five hundred rupees, the value of the suits which are to be cognizable by him under that Act.

IX of 1887.

(*2*) The provisions of section 15, sub-section (*3*), of the said Act shall not apply to a Court of Small Causes of which a Cantonment Magistrate is the Judge.

Appointment of Additional Judge of Cantonment Court of Small Causes.

(9.) When the Local Government appoints an Additional Judge of a Court of Small Causes, of which a Cantonment Magistrate is the Judge, it shall, in its order appointing him to be such Additional Judge, declare, and may by notification in the official Gazette vary, within a limit of fifty rupees, the value of the suits with respect to which the functions of the Judge of the Court may be assigned to, and discharged by, the Additional Judge under section 8 of the Provincial Small Cause Courts Act, 1887.

IX of 1887.

Judges of existing Cantonment Courts of Small Causes.

10. Every Cantonment Magistrate presiding over a Court of Small Causes in a cantonment at the commencement of this Act, and every Assistant Cantonment Magistrate then having any of the powers of the Judge of such Court, shall be deemed to have been appointed Judge and Additional Judge, respectively, under section 6 and section 8 of the Provincial Small Cause Courts Act, 1887, and, in the absence of any order of the Local Government to the contrary, to have jurisdiction with respect to all suits which are cognizable by a Court of Small Causes under that Act and of which the value does not exceed, in the case of a Cantonment Magistrate, five hundred rupees and, in the case of an Assistant Cantonment Magistrate, fifty rupees.

IX of 1887.

Continuance of jurisdiction of Cantonment Court of Small Causes in certain cases notwithstanding reduction of jurisdiction of Judge.

11. A Cantonment Magistrate as Judge of a Court of Small Causes may, whatever may be the value of the suits cognizable by him as such Judge, dispose of any suit which was within the pecuniary limits of the jurisdiction of the Judge presiding over the Court at the time of the institution of the suit, and may entertain and dispose of any proceeding after decree in any such suit.

Cantonment Police.

Police.

12. (*1*) The police force employed in a cantonment beyond the limits of a presidency-town shall, for the purposes of Act XXIV of 1859 (*for the better regulation of the police within the territories subject to the Presidency of Fort St. George*) or Act V of 1861 (*for the regulation of Police*) or the corresponding law for the time being in force in the territories administered by the Governor of Bombay in Council, as the case may be, be deemed to be part of the general police-establishment under the superintendence of the Local Government in whose territories the cantonment is situated.

(*2*) The area comprised within the limits of a cantonment shall be deemed to be a town for the purposes of section 34 of Act V of 1861.

CHAPTER III.

SPIRITUOUS LIQUORS AND INTOXICATING DRUGS.

Unauthorised sale of spirituous liquor or intoxicating drug.

13. If within a cantonment, or within such limits around a cantonment as the Local Government may, by notification in the official Gazette, prescribe in this behalf, any person not subject to military law or any person subject to military law otherwise than as an officer or soldier knowingly barters, sells or supplies, or offers or attempts to barter, sell or supply, any spirituous liquor or intoxicating drug to or for the use of any European soldier, or to or for the use of any European or Eurasian being a follower or a soldier's wife, without the written permission of the commanding officer of the cantonment or of some person authorised by the commanding officer to grant such permission, he shall be punished with fine which may extend to one hundred rupees or with imprisonment for a term which may extend to three months, or with both.

Unauthorised passession of spirituous liquor.

14. If within a cantonment, or within such limits around a cantonment as the Local Government may, by notification in the official Gazette, prescribe in this behalf,—

(*a*) any person subject to military law otherwise than as an officer or soldier, or

(*b*) the wife or servant of any such person or of a soldier,

has in in his or her possession except on behalf of the Government or for the private use of an officer more than one quart of any spirituous liquor other than fermented malt-liquor without the written permission of the commanding officer of the cantonment or of some person authorized by the commanding officer to grant such permission, he or she shall be punished in the case of a first offence against this section with fine which may extend to fifty rupees, and in the case of a subsequent offence against this section with fine which may extend to one hundred rupees or with imprisonment for a term which may extend to three months.

Arrest of persons and seizure and confiscation of things for offences against the two last foregoing sections.

15. (*1*) Any police-officer may, without an order from a Magistrate and without a warrant, arrest any person whom he finds committing an offence against either of the two last foregoing sections, and may seize and detain any spirituous liquor or intoxicating drug in respect of which such an offence has been committed, and any vessels or coverings in which the liquor or drug is contained.

(*2*) Where a person accused of an offence against section 13 has been previously convicted of an offence against that section, an officer in charge of a police-station may, with the written permission of a Magistrate, seize and detain any spirituous liquor or intoxicating drug within the cantonment, or within the limits prescribed under section 13, which at the time of the alleged commission of the subsequent offence belonged to, or was in the possession of, the person.

(*3*) The Court convicting a person of an offence against section 13 or section 14 may order the confiscation of the whole or any part of anything seized under sub-section (*1*) or sub-section (*2*).

(*4*) Subject to the provisions of Chapter XLIII of the Code of Criminal Procedure, 1882, anything seized under sub-section (*1*) or sub-section (*2*) and not confiscated under sub-section (*3*) shall be restored to the person from whom it was taken. X of 1882.

Saving of article sold or supplied for medicinal purposes.

16. The foregoing provisions of this Chapter shall not apply to the sale or supply of any article for medicinal purposes by a medical practitioner, chemist or druggist.

CHAPTER IV.

TAXATION AND CANTONMENT FUND.

Taxation.

17. (*1*) With the previous sanction of the Governor General in Council, the Local Government may, by notification in the official Gazette,— General power of taxation.

(*a*) impose in any cantonment which is not included in a municipality any tax which, under any enactment in force at the date of the notification, can be imposed in any municipality within the territories administered by such Government, and

(*b*) abolish or modify any tax so imposed.

(2) When any tax is leviable in a cantonment in pursuance of a notification under sub-section (*1*), the Local Government, with the like sanction, may, by a like notification, apply or adapt to the cantonment the provisions of any enactment or rules in force at the date of the notification for the assessment and recovery of any tax in any municipality within the territories administered by such Government.

18. (*1*) The Local Government may, by notification in the official Gazette, extend the provisions of Act XX of 1856 (*to make better provision for the appointment and maintenance af Police Chaukidárs in Cities, Towns, Stations, Suburbs and Bázárs in the Presidency of Fort William in Bengal*) to any cantonment which is not included in a municipality and which is situated in any part of British India in which that Act is in force, and the Cantonment Magistrate may exercise all the powers of the Magistrate under that Act, subject only to the control of the District Magistrate and the Local Government. Extension of Act XX of 1856 to certain cantonments.

(2) The Local Government may order that a cantonment to which the provisions of Act XX of 1856 have been extended shall be divided into any number of cantonment divisions, and may determine the nature of the tax to be levied in each such division according to section 10 of that Act.

(*3*) The Local Government may, by notification in the official Gazette, cancel any notification under sub-section (*1*), and may revoke or vary any order under sub-section (*2*).

19. While a tax assessed according to the circumstances, and the property to be protected, of the persons liable thereto, or according to the annual value of houses and grounds, is levied under Act XX of 1856 in a cantonment, a tax on persons practising any profession or art or carrying on any trade or calling, or a tax on buildings and lands, as the case may be, shall not be imposed under section 17 of this Act in the cantonment. Restriction of powers of taxation in cantonments in which Act XX of 1856 is in force.

20. (*1*) Notwithstanding anything in any enactment for the time being in force, the Governor General in Council may, by notification in the Gazette of India, prohibit the levy of the whole or any part of any tax imposed in a cantonment, or exempt any person by name or in virtue of his office or any class of persons, or any property or any class of property, from the operation of any such tax, and may, by a like notification, rescind any such prohibition or exemption. Power to prohibit or exempt from taxation.

(2) Where the area subject to the authority of a municipal committee as defined in section 2 of the Municipal Taxation Act, 1881, includes the whole or part of a cantonment, nothing in section 4 or section 5 of that Act or in any other like enactment for the time being in force shall apply to so much of that area as is comprised in the cantonment. XI of 1881.

Cantonment Fund.

Cantonment fund.

21. (*1*) There shall be formed for every cantonment which is not included in a municipality, a cantonment fund, and there shall be placed to the credit thereof, among other sums, the following, namely :—

(*a*) subject to deductions under section 545 of the Code of Criminal Procedure, 1882, or under any other enactment for the time being in force or under any order of the Local Government, all fines recovered from persons convicted of offences committed within the cantonment against this Act or against any enactment extended or rule made thereunder, or against the provisions of section 34 of Act V of 1861 or the corresponding enactment for the time being in force in the territories administered by the Governor of Fort St. George in Council or by the Governor of Bombay in Council, or against the provisions of Chapter XIII or Chapter XIV of the Indian Penal Code or of section 156 of the Army Act, 1881 ; X of 1882. XLV of 1860. 44 & 45 Vict., c. 58.

(*b*) the proceeds of taxes imposed under section 17 or levied under Act XX of 1856 in the cantonment ; and

(*c*) rents and profits accruing from property placed by the Government under the management of the cantonment authority.

(*2*) Notwithstanding anything in any enactment as to the purposes to which the proceeds of a tax are to be appropriated, the cantonment fund shall be applicable, subject to the rules under this Act, to the maintenance of the police-force employed in the cantonment and to the other purposes of this Act within the cantonment and, with the general or special sanction of the Local Government, to like objects, within or without British India, beyond the limits of the cantonment in cases in which, in the opinion of the Local Government, the application of the fund beyond those limits is for the benefit of the inhabitants of the cantonment or of any military force ordinarily quartered therein or of any detachment of any such force.

Custody of cantonment fund.

22. (*1*) Where, in or near a cantonment, there is a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over, the cantonment fund shall be kept in the treasury, sub-treasury or bank.

(*2*) Where there is no such treasury, sub-treasury or bank, the cantonment fund may be deposited with any banker or person acting as a banker who has given such security for the safe custody and repayment on demand of the fund so deposited as the District Magistrate may in each case think sufficient.

Vesting and management of cantonment fund.

23. The cantonment fund shall be vested in Her Majesty, and, subject to the provisions of this Act and of the rules thereunder and to the control of the Local Government, the management of the fund shall be entrusted to the cantonment authority.

Acquisition of immoveable property at cost of cantonment fund.

24. The cantonment fund shall be deemed to be "public revenues" within the meaning of the proviso to section 6 of the Land-acquisition Act, 1870, and any property acquired at the cost of the cantonment fund shall vest in Her Majesty. X of 1870.

CHAPTER V.

SUPPLEMENTAL PROVISIONS.

Extension of enactments to cantonments.

25. The Governor General in Council may, by notification in the Gazette of India, extend to all cantonments or to any cantonment or to any part of any cantonment any enactment for the time being in force in any municipality in British India, and declare its extension to be subject to such restrictions and modifications, if any, as he thinks fit.

Matters respecting which rules may be made.

26. The Governor General in Council may make rules consistent with this Act to provide for all or any of the following matters, namely :—

(*1*) the manner in which, and the authority to which, application for permission to occupy land belonging to the Government in a cantonment is to be made ;

(*2*) the conditions to be annexed to every such permission given in pursuance of such an application ;

(*3*) the preparation and maintenance of registers of immoveable property in cantonments ;

(*4*) the constitution of cantonment committees, the functions to be discharged by them, the conduct of, and the control to be exercised over, their proceedings, and the division of duties among the members of such committees ;

(*5*) the functions to be discharged by the commanding officer of a cantonment where a cantonment committee has not been constituted, or has in pursuance of an order of the Local Government ceased to exist, or for any reason cannot be convened ;

(*6*) the executive duties of the Cantonment Magistrate and his position in relation to the commanding officer of the cantonment ;

(*7*) the purposes to which the cantonment fund may be applied ;

(*8*) the authority on which money may be paid from the cantonment fund ;

(*9*) the investment of any balance of that fund ;

(*10*) the execution of contracts by, or on behalf of, the cantonment authority :

(*11*) the accounts to be kept by the cantonment authority, and the manner in which those accounts are to be audited and published ;

(*12*) the definition and abatement of nuisances for which sufficient provision has not, in the opinion of the Governor General in Council, been made under section 25 ;

(*13*) the requisitions which may be made on persons having the control of sewers, drains, latrines or other things creating, or likely to create, nuisances, and the mode of enforcing such requisitions ;

(*14*) the prevention of the overcrowding of buildings and places in a cantonment ;

(*15*) the construction and maintenance, to the satisfaction of the cantonment authority, of buildings and of boundary walls, hedges, and other fences ;

(*16*) the regulation of the practice of agriculture and irrigation in a cantonment, the keeping of lands therein in proper order, and the felling, lopping, and trimming of trees on such lands ;

 (*17*) the

(*17*) the regulation of encamping grounds, saráis, markets, and slaughter houses, of traffic on roads, and of processions and public assemblies;

(*18*) the use and management of burial and burning grounds;

(*19*) the supervision and the regulation of the use of public wells, tanks, rivers, streams, springs or other sources from which water is or may be made available for public use, and of the lands in the vicinity thereof;

(*20*) the parts of a cantonment in which persons practising any profession or carrying on any trade, calling or occupation may be required to reside for the purpose of practising the profession or carrying on the trade, calling or occupation, and the conditions, if any, to be observed by such persons;

(*21*) the prevention of the spread of infectious or contagious disorders within a cantonment, and the appointment and regulation of hospitals or other places within or without a cantonment for the reception and treatment of persons suffering from any disease;

(*22*) the segregation in, or the removal and exclusion from, a cantonment, or the destruction of animals suffering or supposed to be suffering from any infectious or contagious disease;

(*23*) the suppression of mendicancy and of loitering or importuning for the purpose of prostitution, and the removal and exclusion from a cantonment of disorderly persons, of persons who have been convicted of any offence against Chapter XVII. of the Indian Penal Code or section 156 of the Army Act, 1881, or have been ordered under the Code of Criminal Procedure, 1882, to execute a bond for their good behaviour, and of persons whom the commanding officer deems it expedient to exclude from the cantonment with or without assigning any reason for excluding them therefrom;

XLV. of 1860.
44 & 45 Vict. c. 58.
X. of 1882.

(*24*) the prevention of cruelty to animals and the care of animals while grazing;

(*25*) the prevention and extinction of fires;

(*26*) the registration of births and deaths;

(*27*) the appointment by owners of buildings and lands in cantonments, who are absent from cantonments, of persons residing within or near cantonments to act as their agents for all or any of the purposes of this Act or any enactment extended or rule made thereunder;

(*28*) the powers of inspection, entry and search which may exercised in carrying out any of those purposes, and the cases in which breaches of enactments extended or rules made under this Act are to be cognizable offences;

(*29*) the mode in which summonses, notices, requisitions and other documents are to be served on the persons to whom they are addressed;

(*30*) the cases, authorities and conditions in, to and on which executive orders passed under this Act or any enactment extended or rule made thereunder may be appealed from; and,

(*31*) generally, the carrying out of the purposes of this Act.

Supplemental provisions respecting rules.

27. (*1*) The power to make rules under the last foregoing section is subject to the condition of the rules being made after previous publication and of their not taking effect until they have been published in the Gazette of India and in such other manner as the Governor General in Council prescribes.

(*2*) A rule under the last foregoing section may be general for all cantonments in British India or for all cantonments not expressly excepted from its operation, or may be special for the whole or any part of any one or more than one cantonment, as the Governor General in Council directs.

(*3*) A copy

(*3*) A copy of the rules for the time being in force in a cantonment shall be kept open to inspection free of charge at all reasonable times in the office of the Cantonment Magistrate.

(*4*) In making any rule under clause (*12*) or any of the following clauses of the last foregoing section, the Governor General in Council may direct that a breach of it shall be punished with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to eight days, and, when the breach is a continuing breach, with fine which, in addition to such fine or imprisonment as aforesaid, may extend to five rupees for every day after the first during which the breach continues.

Extension of certain enactments and rules to places beyond cantonments.

28. The Local Government may, by notification in the official Gazette and subject to any conditions as to compensation or otherwise which it may see fit to impose, extend to any area beyond a cantonment and in the vicinity thereof—

(*a*) any enactment which, with or without restriction or modification, has been extended to the cantonment or any part thereof under section 25, or

(*b*) any rule in force in the cantonment or any part thereof under clause (*12*) or any of the following clauses of section 26, as well as any direction there in force under sub-section (*4*) of section 27;

and the enactment, rule or direction specified in the notification shall, so long as the notification remains uncancelled, apply to that area as if the area were included in the cantonment.

Inapplicability of section 555, Act X, 1882, to trials of offences against this Act.

29. A Judge or Magistrate shall not be deemed within the meaning of section 555 of the Code of Criminal Procedure, 1882, to be a party to, or personally interested in, any prosecution for an offence against this Act, or against any enactment extended or rule made thereunder, because he is a member of the cantonment committee or, where there is no such committee, is the commanding officer of the cantonment, or because he has ordered or approved the prosecution.

X of 1882.

Cantonments in presidency-towns.

30. Where a cantonment is situated within the limits of a presidency-town, the functions assigned to any authority by this Act or any enactment extended or rule made thereunder shall, subject to the provisions of any enactment for the time being in force, be discharged by such authority as the Local Government may appoint in this behalf.

Protection of cantonment authority, Magistrate and commanding officer.

31. A suit or prosecution shall not be entertained in any Court against any cantonment authority, authority appointed under the last foregoing section, Cantonment Magistrate or commanding officer for anything in good faith done or purporting to be done in pursuance of powers conferred by or under this Act on such authority, Magistrate or officer, whether the thing done was or was not authorized by the powers so conferred.

Registration.

32. (*1.*) Section 54, paragraphs two and three, and sections 59, 107 and 123 of the Transfer of Property Act, 1882, with respect to the transfer of property by registered instrument, shall, on and from the commencement of this Act, extend to every cantonment in British India.

IV of 1882.

(*2.*) Where a cantonment has not been constituted a sub-district or district for the purposes of the Indian Registration Act, 1877, under section 9 of that Act, the Registrar of the district in which the cantonment is situated shall cause a copy of such entries in Indexes Nos. I and II as relate to immoveable property within the limits of the cantonment to be forwarded to the Cantonment Magistrate annually or at such shorter intervals as the Local Government may prescribe.

III of 1877.

Limitation of the operation of this Act.

33. The Governor General in Council may, by notification in the Gazette of India, exclude from the operation of the whole or any part of this Act the whole or any part of any cantonment.

THE SCHEDULE.

ENACTMENTS REPEALED.

(*See Section 2.*)

Number and Year.	Subject or Title.	Extent of Repeal.
1	2	3
	Acts of the Governor-General in Council.	
Act XVIII of 1853 - -	Sale of spirits in cantonments -	The whole so far as it has not been repealed.
Act IV of 1854 - - -	Sentences of Superintendents of bázárs.	The whole, so far as it has not been repealed.
Act XLV of 1860 - -	Indian Penal Code - - -	The words "or before a Military Court of Request" in *Explanation* 1 to section 193.
Act V of 1869 - - -	Indian Articles of War - - -	Part III, clause (*c*): and for the last twenty-seven words of Part I, clause (*f*), the following shall be substituted, namely:— "and officers in charge of the police in cantonments are defined and controlled."
Act VII of 1870 - - -	Court fees Act, 1870 - - -	Section 19, clause iv, and in Schedule II, article 1, clause (*a*), the words "or to any Cantonment Magistrate sitting as a Court of Civil Judicature under Act No. III of 1859."
Act XV of 1874 - - -	Laws Local Extent Act, 1874 -	So much of the second schedule as relates to Madras Regulation XIV of 1832: so much of the third schedule as relates to sections 18, 19, 20, 45, 46 and 47 of Bombay Regulation XXII of 1827: and so much of the fourth and fifth schedules as relates to Bengal Regulation XX of 1880.
Act XX of 1875 - - -	Central Provinces Laws Acts, 1875	So much as relates to Bengal Regulation XX of 1810.
Act XVIII of 1876 - -	Oudh Laws Act, 1876 - - -	So much as relates to Bengal Regulation XX of 1810.
Act III of 1877 - - -	Indian Registration Act, 1877 -	The second paragraph of section 9, beginning with the word "Whenever" and ending with the word "thereof."
Act XIV of 1879 - - -	Hackney-carriage Act, 1879 - -	Section 4, from and inclusive of the words "and the Governor General in Council may" down to and inclusive of the words "in which British troops are cantoned."
Act III of 1880 - - -	Cantonmen s Act, 1880 - -	So much as has not been repealed.
Act XXII of 1881 - -	Excise Act, 1881 - - - -	The proviso to section 53.
Act X of 1882 - - -	Code of Criminal Procedure, 1882	Clause (*b*) of section 1.
Act XIV of 1882 - - -	Code of Civil Procedure - -	Section 6, clause (*a*), the words "an officer or" in section 468, and the whole of section 469.
Act XX of 1886 - - -	Upper Burma Laws Act, 1886 -	In the First Part of the Second Schedule the words and figures "III of 1880, Cantonments."

THE SCHEDULE—*continued.*

Number and Year.	Subject or Title.	Extent of Repeal.
1	2	3
	Regulation of the Bengal Code.	
Regulation XX of 1810 -	Military bázárs - - - -	So much as has not been repealed.
	Regulation of the Bombay Code.	
Regulation XXII of 1827 -	Military authority - - -	So much as has not been repealed, except sections 40, 41, 42 and 43.
	Acts of the Governor of Fort St. George in Council.	
Act IV of 1865 - - -	Madras Cantonments - - -	The whole, so far as it has not been repealed.
Act I of 1866 - - -	Madras Cantonments - - -	So much as has not been repealed.
	Act of the Governor of Bombay in Council.	
Act III of 1867 - -	Bombay Cantonment Act of 1867-	So much as has not been repealed.
	Act of the Lieutenant-Governor of Bengal in Council.	
Act VII of 1878 - -	Bengal Excise Act, 1878 - -	The proviso to section 81.
	Regulation under the Statute 33 Victoria, Chapter 3.	
III of 1877 - - -	Ajmere Laws Regulation, 1877 -	Section 39 and so much as relates to Bengal Regulation XX of 1810.

GENERAL ORDER of the Government of India, dated, Fort William, 20th December 1889.

JUDICIAL.

No. 1065. The Governor General in Council is pleased to appoint the first day of January, 1890, as the day on which the Cantonment Act, XIII. of 1889, shall come into force.

No. 1066. The following draft of proposed rules under section 26, clause 21, of the Cantonments Act, 1889, is, as required by section 27 of that Act, hereby published for the information of persons likely to be affected thereby.

The draft will be taken into consideration on the expiry of three months from the date of this notification —

DRAFT RULES.

Under section 26, clause (21), and section 27, sub-sections (2) and (4), of the Cantonment Act, 1889, the Governor-General in Council is pleased to make the following

following rules and to direct that they shall be general for every cantonment in British India :—

1. As many hospitals as may be necessary, within or without the limits of the cantonment as the cantonment authority with the concurrence of the District Magistrate may determine, shall be maintained, at the expense wholly or in part of the cantonment fund, for the treatment of persons suffering from infectious or contagious disorders.

2. A medical officer, to be appointed in such manner as the Local Government may direct, shall be in charge of every such hospital.

3. A person admitted to such a hospital shall be treated gratuitously, and, if such person is without means of support and is either a resident of the cantonment or was admitted to the hospital on the request of the cantonment authority or of any officer of that authority, shall receive from the cantonment fund such subsistence allowance not being less than the lowest allowance for the time being fixed by the Local Government under section 338 of the Code of Civil Procedure, as the cantonment authority may determine.

4. If the medical officer, for the time being in charge of a hospital maintained under these rules for the treatment of persons suffering from any infectious or contagious disorder, certifies in writing to the commanding officer of the cantonment that any person is suffering, or is supposed by such medical officer to be suffering, from the disorder, and any such person either refuses to go to the hospital, or, having gone to the hospital, leaves it before such medical officer has pronounced such person to be free from the disorder, the Cantonment Magistrate may, on the application of such medical officer, order such person to remove from the cantonment, within 24 hours, and prohibit such person from remaining in or re-entering it without the written permission of such medical officer.

5. If a person having been prohibited under the last foregoing rule from remaining in or re-entering a cantonment, remains in, or re-enters the cantonment without such written permission as is mentioned in that rule, such person shall be punished with fine which may extend to fifty rupees, or with imprisonment for a term which may extend to eight days, for every breach of the said prohibition.

EAST INDIA (CANTONMENTS ACT).

COPY of CANTONMENTS ACT, 1889, and any RULES made under Section 26, Sub-Section 21, and under Section 27 of the same.

(*Mr. John Ellis.*)

Ordered, by The House of Commons, *to be Printed,* 23 *June* 1890.

[*Price* 2 *d.*]

241. *Under* 2 *oz.*

H.—5. 7. 90.

EAST INDIA (BENARES TEMPLES).

RETURN to an Address of the Honourable The House of Commons, dated 20 May 1890;—*for*,

"REPORTS of the Commissioner of Benares to the Government of India, of the 14th day of February 1889 and the 4th day of April 1889, as to certain PROPERTY and TRUST FUNDS belonging to the Temples of Gunnesh, Shiva, and Anpurna, and the Chattra of Benares:"

"And, of any DESPATCH from the Government of India relating thereto."

India Office,
7 June 1890.

A. GODLEY,
Under Secretary of State for India.

(*Mr. Bradlaugh.*)

Ordered, by The House of Commons, *to be Printed*,
9 *June* 1890.

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REPORTS of the Commissioner of Benares to the Government of India, of the 14th day of February 1889 and the 4th day of April 1889, as to certain PROPERTY and TRUST FUNDS belonging to the Temples of Gunnesh, Shiva, and Anpurna, and the Chattra of Benares; and, of any DESPATCH from the Government of India relating thereto.

— No. 1. —

Dated Maryville, Mussoorie, the 12th July 1888.

From Captain *A. W. Hearsey*, Retired List, Her Majesty's Service, Attorney for Ram Chandra Rao Paindsay, Manager and Trustee for the Temples of Ganesh, Shiva, Anpurna, and the Chattra in the City of Benares, to His Excellency the Right Honourable the Earl of *Dufferin*, K.P., &c., Viceroy and Governor General of India in Council.

WITH respect to letter, No. 1066, dated Simla, 25th May 1888, from the office of the Under Secretary to the Government of India, Home Department, wherein I am directed to submit my memorial through the Government of the North West Provinces before it can be laid before your Excellency.

2. I have the honour most respectfully to point out that I have no other option than of addressing my letters direct to your Excellency, on account of letter, No. 430, of 1883 (copy herewith attached)*, from the Junior Secretary to the Government of the North West Provinces and Oudh, in which he states, in a reply to a petition from Ram Chandra Rao Paindsay on this subject, "that further petitions will not be acknowledged or attended to."

Documents attached.

1. Copy of letter from the Junior Secretary of the Government of the North Western Provinces and Oudh. (*See* No. 2 of this Return).
2. Memorial concerning the looting of the Benares Temple. (*See* No. 3 of this Return.)
3. List of property confiscated and sold by public auction. (*See* No. 4 of this Return.)

* No. 2 of this Return.

3. It is such and similar high-handed and unjust proceedings that bring ineffable disgrace and dishonour on the office and government of the late Lieutenant Governor of the North West Provinces, Sir Alfred Lyall.

4. In obedience to the instructions of the Junior Secretary to the Government of India, Home Department, contained in this letter, No. 1066, of the 25th May 1888, I have forwarded the documents in question through the office of his Honour the Lieutenant Governor of the North West Provinces.

5. But at the same time, in complying with official instructions, I have again sent the same documents direct with this letter to your Lordship, for your Excellency must admit that it is very hard on all the Hindu subjects of Her Most Gracious Majesty that such a serious offence against their religion, and one which Her Majesty, in taking over the government of this country, in her Proclamation declared should never take place, has, in diametrical opposition to Her Majesty's orders, been committed by the Government of India; I mean, so as to put it in plain and unmistakable terms, the loot and desecration of the temples of Ganesh, Shiva, and Anpurna

Anpurna by that Government, and that your Excellency, who is Her Most Gracious Majesty's representative and Viceroy in India, will not authorise the public inquiry and investigation that thousands of those Hindu subjects are petitioning for, especially as the authorisation of this inquiry lies with your Lordship's Government, and not with the Local Government of the North West Provinces and Oudh.

— No. 2. —

(Enclosure in No. 1.)

RESOLUTION by the Government of the North Western Provinces and Oudh, in the Political Department, No. 430, dated Naini Tal, the 23rd June 1883.

Read,—A petition from Ram Chandra Rao, Nya Ghat, Benares, inquiring what orders have been passed on his petition applying for restoration of the interest on a certain promissory note.

Order.—Ordered that petitioner be informed that his petition has been deposited, and that further petitions will not be acknowledged or attended to.

— No. 3. —

(Enclosure in No. 1.)

Longview, Dehra Dún, the 23rd February 1888.

To His Excellency the Right Honourable Sir *Frederick Temple Hamilton-Temple Blackwood,* Earl of *Dufferin,* K.P., G.C.B., G.C.M.G., P.C., G.M.S.I., G.M.I.E., F.R.S., D.C.L., Viceroy and Governor General of India in Council.

The humble Memorial of Captain *Andrew William Hearsey,* Attorney for, and in behalf of, Ram Chandra Rao Pindsay, Trustee for the Temples of Ganesh, Shiva, and Anpurna, and the Chattra in the City of Benares,

Humbly sheweth,—

1. That, in continuation of his petitions of the 20th of September and 9th of December 1887, your petitioner now most respectfully begs to lay before your Lordship that, over and above the appropriation of Government securities, viz., Note No. 7475 for three lakhs of rupees, from the temples of Ganesh, Shiva, Anpurna, and the Chattra of the city of Benares.

2. That, in direct opposition of all law, either civil or criminal, and in diametrical antagonism to the Proclamation of Her Most Gracious Majesty, on taking over the government of this country from the Honourable East India Company, viz., "that she would impartially respect the religion and creed of all her subjects irrespective of colour or race," or words to that effect.

3. That on the 19th day of January 1858 the Government of India were guilty of *sacrilege,* in that they confiscated and seized all the sacred vessels, jewellery, and furniture (gold, silver, and precious stones) from the temples of

of Ganesh, Shiva, and Anpurna (as shown by the accompanying list), removing the same from the sacred precincts of the temples, and disposing of them by public auction, appropriated the moneys so realised to their own uses.

4. That on the 19th day of February 1858 the Government seized from the treasury of the temple *Rs.* 30,000, moneys belonging to the Chattra, and likewise *Rs.* 30,000 belonging to the temple of Ganesh, also gold in lumps from votive offerings, &c., in value about *Rs.* 40,000; in all a total of about one lakh of rupees, appropriating the same to their own uses.

5. That on the 19th day of January 1858 the Government of India confiscated, and subsequently sold by auction, the following sacred places belonging to, and a portion of, the property of the temple, viz. :—

I.—The Bhandar houses in which the food for offerings was cooked, attached to the temples, consisting of two houses.

II.—The Balisthan, the place of sacrifice, one house.

III.—The Brimapuri, places of residence for pilgrims visiting the temples, consisting of five houses.

IV.—Certain houses the residence of the priests who officiated at the temples, three in number.

V.—Two gardens in which fruits and flowers were grown for the daily offerings in these temples.

The money realised by the sale of these sacred buildings being appropriated by them to their own use.

6. That under no circumstances whatsoever, either in civil or criminal law, were these properties liable to confiscation by the Government, as being the properties of Hindu temples, used for Hindu worship, and in the performance of such rites and ceremonies as prescribed by the Hindu religion, and for Hindu *charities*.

7. Your memorialist's petition therefore now is,—

1st.—That due public inquiry be made into the value of the vessels, jewels, cash, furniture, and gold abstracted from the temples and treasury, and likewise of the buildings and gardens belonging to the temples, as per attached list.

2nd.—That if such properties, moveable and immoveable, as duly set forth in the attached lists, were confiscated and removed from the sacred precincts of the temples, not only in defiance of civil and criminal law, but still more, in direct opposition of Her Most Gracious Majesty's Proclamation to her Indian subjects, that a sum of money not only equivalent to the actual value of this property, but likewise as compensation, be paid to the manager and trustee of the temples of Ganesh, Shiva, and Anpurna, and the Chattra of the city of Benares.

And your petitioner, as in duty bound, will ever pray.

(signed) *A. W. Hearsey*, Captain,
Retired List, Her Majesty's Service, Agent and Attorney for Ram Chandra Rao Pindsay, Manager and Trustee for the Temples of Ganesh, Shiva, and Anpurna, and the Chattra in the City of Benares.

— No. 4. —

(Enclosure in No. 1.)

MOVEABLE PROPERTY.

SACRED Vessels and other Articles belonging to the Temple of Ganesh removed from the Precincts of that Temple by the Government of India on the 19th day of January 1858.

Number of Articles of each Sort.	Names of Articles.	Gold. Weight in Tolas.	Value in Currency.
			Rs.
4	Bracelets	—	490
4	Chain bracelets	—	600
1	Crown	—	1,000
1	Necklace (wire-braided) in one string	—	250
1	Dish	175	3,500
5	Small bowls	60	1,200
4	Bracelets belonging to Ganesh's consort	—	400
1	Cincture of beads worn round waist	—	195
2	Engraved trays	205	4,100
1	Jar	117	2,340
1	Small jar	37	740
5	Lamp stands	26	520
1	Perfume box	10	200
1	Panchartee	40	800
1	Vessel to contain rubbed sandalwood	35	700
1	Fumigator to diffuse the scent of frankincense by fire.	37	740
1	Vessel to pour out water to the sun	12	240
1	Box for holding betel-nut and its apparatus	52	1,040
1	Spoon	5	100
1	Bell	50	1,000
2	Rosewater sprinklers, bottle-shape	52	1,040
1	Chumbu (a sort of vessel)	75	1,500
2	Handles of fly-flappers	65	1,300
1	Umbrella	36	720
1	Screen to keep off the sun	27	540
2	Flags	26	520
1	Dish	40	800
1	Drinking cup	20	400
1	Chalice	44	880
1	Cup	35	700
2	Candlesticks	80	1,600
1	Small tray	5	100
5	Small boxes	42	840
1	Small box	20	400
1	Vessel for burning perfumed pastilles	32	640
1	Vessel suspended over the head of the idol to allow water to drip on it.	24	480

SACRED Vessels and other Articles belonging to the Temple of Ganesh, &c.—*continued.*

Number of Articles of each Sort.	Names of Articles.	Gold. Weight in Tolas.	Value in Currency.
			Rs.
1	Jar - - - - - - - - - -	105	2,100
4	Weapons for placing in the hand of the idol - -	12	240
1	Syringe - - - - - - - - -	9	180
1	Handle of pankah - - - - - -	43	860
4	Chain bracelets of the (mouse) vehicle of Ganesh -	22	440
1	Necklace " " " " -	10	200
1	Dish - - - - - - - - - -	72	1,440
1	Spoon - - - - - - - - - -	5	100
1	Spoon - - - - - - - - - -	3	60
1	Cup - - - - - - - - - -	15	300
1	Jar - - - - - - - - - -	45	900
5	Small bowls - - - - - - -	52	1,040
1	Pair of tongs - - - - - - -	—	150
1	Rest for the conch (shell) - - - - -	7	140
86	TOTAL of Golden Vessels, &c. - -	1,884	40,765

MOVEABLE PROPERTY.

SACRED Vessels and other Articles belonging to the Temple of Shiva removed from the Precincts of that Temple by the Government of India on the 19th day of January 1858.

GOLDEN VESSELS.

Number of Sacred Vessels removed.	Names of Articles.	Gold. Weight in Tolas.	Value in Currency.
			Rs.
3	Dishes - - - - - - - - -	309	6,180
9	Small bowls - - - - - - - -	140	2,080
3	Jars - - - - - - - - - -	240	4,800
3	Cups - - - - - - - - - -	76	1,520
3	Trays - - - - - - - - - -	75	1,500
1	Vessel to contain rubbed sandalwood - - -	15	300
1	Vessel in which to burn perfumed pastilles - -	17	340
3	Vessels suspended over the idol to enable water to constantly drip on it.	90	1,800
3	Vessels for offering oblations to the sun - -	36	720
3	Lamp stands - - - - - - - -	—	660
3	Panchartees - - - - - - - -	47	940
3	Turbans - - - - - - - - -	40	800
3	Cobra de Capellos - - - - - - -	247	4,940
41	TOTAL Value of Golden Vessels and Weight of ditto confiscated by Government - -	1,132	26,580

SACRED Vessels and other Articles belonging to the Temple of Shiva, &c.—*continued.*

SILVER VESSELS.

Number of Vessels or Articles removed.	Name of Vessels and other Articles.	Value in Currency.
		Rs.
3	Dishes	335
3	Jars, large size	250
3	Jars, small size	90
3	Trays	225
15	Small boxes	145
3	Cups	106
3	Vessels to hold rubbed sandalwood	82
3	Panchartees	100
3	Vessels in which camphor is burnt	51
6	Lamp stands	93
3	Rests for the conch (shells)	45
9	Drinking cups	142
3	Small pots	100
3	Pairs of tongs	32
3	Vessels for burning perfumed pastilles	71
3	Vessels for pouring out oblations to the sun	41
3	Vessels for water, suspended over the idol to constantly drip on it.	143
6	Handles of fly-flappers	99
3	Spoons	17
3	Tridents	37
3	Vessels in which frankincense is burnt	45
21	Small bowls	233
3	Horns	20
3	Turbans	45
3	Umbrellas	140
3	Bells	160
3	Cobra de Capellos	250
123	TOTAL Value of Silver Vessels, &c. removed	3,097

MOVEABLE PROPERTY.

JEWELLED Ornaments belonging to the Temple of Ganesh removed from the Figure of the Idol, and from the Precincts of Temple.

Number of Jewelled Ornaments removed.	Name of Jewelled Articles removed.	Value in Currency.
		Rs.
1	A crest or tuft of pearls	890
2	Ear-rings	1,150
1	A frontlet worn round the turban	790
1	Crescent or moon worn over the forehead	150
1	Frontlet worn on the forehead	560
4	Bangles to wear round the arm	1,195
1	Large ear-ring	780
1	Crown	10,000
2	Nose rings	200
1	Bridal chaplet or wreath of pearls for forehead	1,150
1	Pearl necklace of single row of pearls	1,945
1	Pearl necklace of two rows of pearls	2,942
1	Pearl necklace of five rows of pearls	10,000
4	Bracelets set with jewels	1,200
4	Chain bracelets set with jewels	1,500
4	Bangles set with jewels to wear on wrist	950
1	Cincture of beads set with jewels to wear round waist	900
2	A fillet worn round neck by women	450
2	Necklace of alternate pearls and diamonds	900
2	Pearl necklaces	700
2	Garlands of pearls	695
39	TOTAL Value of Jewels	38,047

LANDED Property belonging to the Temples of Ganesh, Shiva, and Annapurna, confiscated by the Government and sold by public auction.

1 1	House House	The Bhandar or cooking-place attached to the Temple of Ganesh.
1 1 1 1 1	House House House House House	The Brimapuri or residence for pilgrims visiting the Temple of Ganesh.
1	House	The Balisthan or place of sacrifice attached to the Temple.
1 1 1	House House House	The residence of the priests who officiated in the three Temples.
1 1		Garden in which the fruits and flowers for offerings were grown.

Recapitulation.

	Rs.
Sacred vessels of gold from the Temple of Ganesh - - -	40,765
Jewelled ornaments belonging to the Temple of Ganesh - -	38,047
Sacred vessels of gold from the Temple of Shiva - -	26,580
Sacred vessels of silver " " - - -	3,097
TOTAL - - -	1,08,489

Eleven houses.
Two gardens.

	Rs.
Cash removed from the treasure of the temples, votive offerings, &c., belonging to the Chattra - - - - - - -	30,000
Cash removed from the treasure of the temples, votive offerings, &c. from the Temple of Ganesh - - - - - -	30,000
Gold in lumps, value unknown, about, or upwards of - -	40,000
TOTAL - - -	1,00,000

— No. 5. —

No. 2384, dated Simla, the 10th September 1888.

From *J. P. Hewett*, Esq., Under Secretary to the Government of India, to the Secretary to the Government of the North-Western Provinces and Oudh, General Department.

IN returning the memorial of Captain Hearsey*, on behalf of Ram Chandra Rao Pindsay, regarding his claim to certain property belonging to certain temples in Benares, which was received with your letter, No. 1090—III.—302A.-7, dated the 20th ultimo, I am directed to request that, with the permission of his Honor the Lieutenant Governor and Chief Commissioner, the Government of India may be favoured with a full report on the points raised in the memorial, so far as information is available.

*No. 1 of this Return.

— No. 6. —

No. 1054—III.—302A–19, of 1889.

From the Secretary to Government, North-Western Provinces and Oudh, to the Secretary to the Government of India, Home Department; dated Naini Tal, the 25th May 1889.

Sir,

I AM directed to acknowledge the receipt of your letter,* No. 2384, dated the 10th September 1888, returning, for a full report, the memorial from Captain A. W. Hearsey, on behalf of Ram Chandra Rao Pindsay, on the subject of his claim to certain property which is alleged to have belonged to temples in the city of Benares, and to have been confiscated by Government.

* No. 5 of this Return.

2. In reply I am to submit the memorial, together with a printed copy of reports† by the Commissioner of the Benares division and the Magistrate of Benares; and, with reference to the remarks therein contained, to observe that although it cannot be proved that the jewels, &c., which were sold by Messrs. Smyth & Co. for *Rs.* 12,782 in 1861, may not have once belonged to the Ganesh Mandil, referred to in paragraph 3 of the memorial, there is no evidence that such was the case. They may equally well have been a private deposit and not temple property; and it appears to the Lieutenant Governor and Chief Commissioner that the fact that no claim was made on account of these articles when the temple and its endowment were exempted from confiscation, favours this view. There are, moreover, no means of reconciling the discrepancy which exists between the value of the jewels, *Rs.* 38,047, as detailed in the 5th Schedule, page 4 of the printed collection, claimed by Captain Hearsey, and the amount (*Rs.* 12,782) which was realised by the jewels actually sold by Government, as reported by the Commissioner of the Benares Division in his letter, No. 1484—XIII.—62, dated 14th February 1889.

† Letters Nos. 1484—XIII.—62 and 3295—XIII.—62, dated, respectively, the 14th February and 4th April 1889, and enclosures. (*See* No. 7 and No. 9 of this Return.)

3. His Honor is of the opinion that, considering the lapse of time, and the absence of satisfactory evidence, Government is not in any way bound to restore any part of the value of the property claimed. If, however, His Excellency the Governor General in Council considers that some restitution should be made in the manner indicated in paragraph 18 of the Magistrate of Benares' letter,‡ No. 5—XVII.—35, dated the 26th January 1889, His Honor would deprecate any action being taken in this direction, unless a regular petition is presented to the Magistrate by some party whose interest in the question and right to support the claim are proved beyond doubt, and until such time as evidence is furnished of the ownership of the property sold amounting to a far more considerable degree of probability than at present is forthcoming.

‡ No. 8 of this Return.

4. In regard to the houses which it is alleged were confiscated and subsequently sold by auction, I am to say that as the Ganesh temple and the Chattar belonging to it were released from attachment, it appeared from the outset highly improbable that any buildings which were merely appurtenances to them should have been sold by auction. It has now been ascertained by the Collector, after careful local inquiry, that none of the premises which were sold by Messrs. Smyth & Co. were of that description.

I have, &c.
(signed) *W. C. Bennett,*
Secretary to Government,
North-Western Provinces and Oudh

— No. 7. —

(Enclosure in No. 6.)

No. 1484—XIII.—62, dated the 14th Febuary 1889.

From *J. J. F. Lumsden*, Esq., Commissioner, Benares Division, to Secretary to Government, North-Western Provinces and Oudh.

Sir,

WITH reference to your No. 1310—III.—302A–9, dated 20th September 1888, forwarding Under Secretary to Government of India's No. 2384, dated 10th September 1888, and its Enclosures,† for report by the Magistrate of Benares, I have the honour to submit copy of Mr. White's No. 5—XVII.–35,‡ dated 26th January, and of its annexures, and to return the original Enclosures of your endorsement under reply.

† No. 5 of this Return.
‡ No. of this Return.

2. This office file bearing on the subject was forwarded to the Magistrate, and he was also instructed to obtain from the Judge of Benares any correspondence connected with the subject pertaining to the Special Commissioner's office. The report submitted by the Magistrate is by no means complete or exhaustive; but it is difficult, after the lapse of so many years, with the data available, to submit a satisfactory report on the subject.

3. As the Secretariat records are probably not complete, I beg to submit* copies of what appear the most important letters connected with the subject :—

(1) Copy of Benares Magistrate's No. 121, dated 1st February 1858, reporting the attachment of property belonging to Narayan Rao and Mahdo Rao.

(2) Copy of Benares Commissioner's No. 74, dated 1st February 1858, to address of Secretary to Government, North-Western Provinces, forwarding copy of Benares Magistrate's No. 121 of same date.

(3) Copy of Secretary to Government, North-Western Provinces, No. 21, dated 18th February 1858, in reply to (2), intimating the sanction of the Right Honourable the Governor General to the temple and endowment being excepted from attachment.

(4) Copy of Benares Magistrate's No. 703, dated 9th October 1860, to address of Commissioner, soliciting orders as to the disposal of the property.

(5) Copy of Commissioner's No. 168A, dated 13th October 1860, to the address of the Secretary to Government, North-Western Provinces.

(6) Copy of Secretary to Government, North-Western Provinces, No. 3198A, dated 24th December 1860, to Commissioner, Benares.

(7) Copy of Secretary to Government, North-Western Provinces, No. 383A, dated 2nd May 1861, and of its Enclosures, being Secretary to Government of India's No.—, dated 13th February 1861, to address of Secretary to Government, North-Western Provinces.

(8) Copy of Benares Commissioner's No. 51, dated 7th May 1861, forwarding copy of (6) and (7) to Magistrate, Benares.

(9) Copy of Benares Magistrate's No. 70, dated 23rd May 1861, to Commissioner, Benares, submitting a list of confiscated property belonging to Narayan Rao and Madho Rao in the district of Benares.

(10) Copy

* *See* Appendix for copies of these letters.

(10) Copy of Secretary to Government's No. 637A, dated 5th July, 1861, to Commissioner, Benares, sanctioning the sale of the property of Narayan Rao and Madho Rao, as described in the list given in (9) through Messrs. Smyth & Co., of Benares.

(11) Copy of Commissioner's No. 103, dated 2nd September 1861, to address of Magistrate, Benares.

(12) Copy of Magistrate, Benares, No. 118, dated 3rd September, 1861, to address of Commissioner, reporting that the jewels sold by Mr. Smyth realised *Rs.* 12,782-5 after deducting commission, and that the houses and gardens realised *Rs.* 31,209-2-6 after deducting comission at 5 per cent.

4. It will be seen that the jewels, ornaments, and vessels belonging to the Ganesh Mandil were first valued at *Rs.* 4,000 [*see* Enclosure (1)*]. Mr. White states that they were subsequently valued by the treasurer at *Rs.* 9,623-8. In the list of confiscated property submitted with Benares Magistrate's No. 70, dated 23rd May 1861 [Enclosure (9)†], the 12th entry shows, "gold and silver plates and jewels," and the value is entered as *Rs.* 13,800. Copy of this was, however, obtained from the Magistrate's office, and opposite the estimated value is entered a note "eaten by white ants; amount noted by calculation." From the latter it appears that the figures showing the estimated value in the original list have been destroyed by white ants, and that the sum now shown in the copy has been obtained by calculation of details. I do not, however, understand why this latter sum differs from the amount of the "more careful valuation by the treasurer," *Rs.* 9,623-8, referred to in paragraph 13 of Mr. White's report, and I have asked him to explain this.

5. There can be no doubt from the correspondence that the jewels, ornaments, and vessels originally attached and valued at *Rs.* 4,000, are the same as eventually realised when sold through Messrs. Smyth, *Rs.* 12,782-5, after deducting commission at 5 per cent. If commission at 5 per cent. be added to the latter sum, the aggregate amount for which they sold would be *Rs.* 13,455-1. Mr. White has not entered the sum for which each article was sold by Messrs. Smyth & Co. That column has been left blank in the annexure to his report. I have called on him to supply this omission.

6. It is quite clear from the correspondence that the Ganesh temple and the Chattar, valued respectively at *Rs.* 22,000 and *Rs.* 32,920 when attachment was made, were released. Mr. White's report does not show what houses and gardens were sold by Messrs. Smyth for *Rs.* 31,209-2-6 after deducting commission, as stated in Benares Magistrate's No. 118, dated the 3rd September 1861 [Enclosure (12)‡], and it is therefore impossible for me to say whether the property sold included the houses and gardens detailed in the schedule of landed property attached to Captain Hearsey's petition, received with your letter under reply. From the correspondence, I should conclude that the houses, &c., sold were those detailed in the list appended to Collector's No. 70, dated 23rd May 1861 [Enclosure (9)§]. The village of Monda Di was not included in the houses and gardens sold for *Rs.* 31,209-2-6, for Benares Magistrate's No. 118, dated 3rd September 1861,‖ distinctly states that "there is still a village left unsold;" and I find that he subsequently reported the village of Monda Di having been sold on the 9th September for *Rs.* 18,000.

‖ No 12 of Appendix.

7. The latter village is of course not included in the schedule of landed property attached to Captain Hearsey's petition, and I only allude to it to show that if the village of Monda Di, which was valued at *Rs.* 3,600 in the list submitted with Magistrate's No 70, dated 23rd May 1861,¶ sold for *Rs.* 18,000, it is quite possible that the other houses and gardens included in said list sold for *Rs.* 31,209-2-6; and as far as I can make out, they did not include the houses, &c., said to be attached to the temples detailed in the schedule annexed to Captain Hearsey's petition. And it appears highly improbable that, with reference to the orders releasing the temple and Chattar, any houses which were mere appurtenances or appendages of the latter

¶ No. 9 of Appendix.

* *See* page 19. † *See* page 23. ‡ See page 24. § *See* page 23.

latter would have been sold. Mr. White's report, however, is silent on this, and I have asked him to report further as to the houses and gardens sold through Messrs. Smyth, and whether they included any appurtenances of the temples as would appear from paragraph 5 of the petition and the schedule attached to the same.

8. I would have obtained the further information which I have now called for from the Magistrate before submitting the papers to Government, but that an urgent reminder has been received from you and that I am on tour in Gorakhpur, and some little delay must necessarily occur in obtaining this information from the Magistrate.

— No. 8. —

(Enclosure in No. 7.)

No. 5—XVII.—35, dated the 26th January 1889.

From *J. White*, Esq., Magistrate of Benares, to Commissioner, Benares Division.

Sir,

In continuation of correspondence ending with your No. 12065—XIII.—280, dated 24th December 1888, I have the honour to state :

2. That Ram Chandra Rao Pindsay, who is the man who draws the interest on the two lakhs from this treasury every month, having been informed that if he wished to produce any evidence, the undersigned would be glad to examine it, replied that any communication of the sort should be made to his agent, Captain Hearsey. With Captain Hearsey the undersigned has had no sort of communication.

3. The District Judge has lent me the correspondence in his office, and your Personal Assistant has also favoured me with the loan of your office file.

4. Ram Chandra Rao is at present the recipient of the interest on the two lakhs, and he says that Captain Hearsey is his agent. I have never seen either of these individuals.

5. If the three lakhs as asserted were really *punarth*, it would be well that some evidence should be adduced of the factum of endowment. No copy of the will of Vinayak Rao has been shown to me.

6. In a letter from the Government of India to the Government, North-Western Provinces, No. 1069 of 1858, it is stated that Promissory Note No. 7475 of 1825–26, for *Rs.* 2,87,100, was paid off to the Administrator General on 21st December 1857, who had under the orders of the Calcutta Supreme Court been enjoined to collect and take possession of the estate of Vinayak Rao. Had this amount been really *Punarth* or *Shankalp* at that time, the claim would indubitably have been made and established as in the case of the two-lakh endowment.

7. The property of both Madho Rao and Narayan Rao was duly confiscated. The Magistrate of Benares in his No. 486 of 16th July 1859, describes the property as—

15 brick-houses ;

three gardens ;

Rs. 2,21,506–4–3 personal property and cash.

The attachment was made in January 1858.

8. In letter No. 30, dated 18th Febuary 1859, the Benares Special Commissioner informed the Bánda Special Commissioner that certain

property of Narayan Rao and Madho Rao was under attachment. The detail of the property was—

	Rs.	a.	p.
19 houses and gardens valued at -	68,405	–	–
133 brass cooking utensils - - - -	256	9	–
491 articles of furniture - - - -	126	11	–

270 gold and silver ornaments value amounting to their weight (*sic*).

9. The order of confiscation of Narayan Rao's property in this district was issued from the Special Commissioner's office, dated 21st March 1859. The order of confiscation of Madho Rao's property I have not seen, but it is frequently alluded to in the correspondence.

10. On 1st Febuary 1858, the Magistrate reported to your office in his No. 121, copy of which I have already submitted, that he had attached the property of the two rebel Raos. You will observe that Mr. Fane did not interfere with the management of the temple or Chattar, but that he took into his "*own custody the jewels and gold and silver vessels belonging to the temple.*" Paragraph 4 of Mr. Fane's letter shows, I think, clearly the real history of the alleged "three-lakh endowment." I think there can be no doubt but that no such endowment had legally been made, but that possibly the promissory notes alluded to in petitioner's applications were kept apart by Vinayak Rao in his lifetime for the maintenance of these institutions. After his death this arrangement does not appear to have been continued, for when the Administrator General took the notes, no objection seems to have been made. I may add that it is a common practice in wealthy families thus to set aside part of the family income without executing any sort of transfer or allowing any alienation of the principal. For instance, I lately had an application before me from a wealthy Hindu widow, asking for a certificate of exemption from income tax of certain promissory notes, the income of which she stated that she had devoted to the worship of certain idols. On inquiry, I found that although a document had been written and certain relatives appointed managers, yet the lady retained full powers of resuming the grant whenever she liked, and the certificate was refused. In like manner, Vinayak Rao may have in his own mind set aside the income of Note No. 7475 for religious purposes; but it does not follow that he ever intended to give it continuously to the institutions of which Ram Chandra Rao Pindsay now calls himself manager and trustee. The petitioner's claim is absurd and ridiculous; so far as the notes are concerned, the Government appears to have acted with most scrupulous care.

11. From the sale of houses and gardens, *Rs.* 31,209–2–6 was apparently realised, and from the sale of jewels, *Rs.* 12,782–5. To proceed to details.

12. On 26th January 1858, the Tahsíldár, with Doctor Cheek, made the attachment. In his report the Tahsíldár states that he has attached *zewarat wa zurufat nukra wa tiba wa murassa maliyat, Rs.* 4,000. *Azam Madho Rao aur Narayan Rao baghiyan,* There is a list of attached property in which I find one heading, *tafsil asbab puja wa rasoi Thákur,* the value given is *Rs.* 166–1–6, and all these things were speedily released from attachment. Besides these articles, *Rs.* 4,000 worth of ornaments and utensils belonging to the Ganesh Mandir were attached, and the Magistrate deposited these in the treasury. Rupees 2,008 cash, which was also attached, was almost immediately repaid to Ram Chandra Bhat (*sic*) for the Chattra expenses.

13, I think there can be no doubt but that the *zewarat zurufat,* valued at the time of attachment at *Rs.* 4,000 were deposited in the treasury, were subsequently valued more carefully at *Rs.* 9,623–8, and were made over on 24th July 1861, to Messrs. Smyth & Co. for public auction. And if so, then it is clear that the valuables of the temple were confiscated and sold by Government. Rupees 12,782–5 were realised.

14. The proof of this is not complete; but there is this to be said in favour of the theory. The first rough valuation at the time of attachment was *Rs.* 4,000. In 1861, after the things had been lying nearly three years in the Treasury, the treasurer valued them at *Rs.* 9,623. But on scrutinising the lists, I notice that he only assessed the value of the metal and of the gems, allowing nothing whatever for workmanship. Considering that the articles were

were some of them no doubt elaborately and artistically made, and considering that as the utensils of a temple and the jewellery worn by the idol thereof, the bidding in a place like Benares would naturally run up, I think it may safely be decided that articles sold by Smyth & Co. for *Rs.* 12,722 were the identical articles seized in 1858 in the temple of Ganeshji by Mr. Fane, the magistrate. And I think that, apart from religious sentiments, the market value of the articles must have been over *Rs.* 10,000.

15. As to whether these valuable things were the property of the rebel Raos or were the property of the Temple as *punarthan*, there is this to be said on the one side, that the temple priests apparently made no claim at the time, and that there is no reason why a rich devotee should not lend valuable ornaments and utensils to the service of an idol without actually dedicating them and alienating them, and on the other that the articles were at the time in the use of the idol and were manifestly many, if not all of them, manufactured for this purpose. I think there is a presumption, a strong presumption, in favour of the idol. The recognition of the rights of the idol would undoubtedly be gratefully acknowledged by the people of Benares.

16. But I would suggest that if the Government consider it right and proper to make some restitution in this matter it would be well to make sure that Ram Chandra Rao and his associate Captain Hearsey, are duly empowered in this matter. My proceedings have been entirely *ex parte*, and no one has appeared before me to assert anything or to prove anything.

17. As to the temple buildings which it is alleged were sacrilegiously confiscated, I have not been able to ascertain anything definite. Nor are any details given in the petitions lodged by Captain Hearsey.

18. To sum up, I would recommend: that the petition, so far as the alleged three-lakh endowment is concerned, be summarily rejected. It is as certain as anything can be certain that the note No. 7475 was never devoted to any religious institution whatever. As to the buildings, I would recommend that the petition be rejected on the ground of want of proof and lapse of time. As to the ornaments and utensils, I would recommend that the Government of India do graciously restore to the proper trustees of the Ganesh Mandir so much of the value thereof taken at *Rs.* 10,000 as may seem right and proper to restore. Considering that the case is not absolutely proved, any restitution whatever can only be looked upon as a matter of imperial grace and favour.

LIST.

No.	List of 1858.	List of 1861 as Valued by Treasurer.			As sold by Smyth & Co.
		Rs.	*a.*	*p.*	
1	Makut gold, embroidered, 41 pearls, &c.	1,000	–	–	
2	Mala Marwari, 42 pearls, &c.	300	–	–	
3	Dulari guluband, 92 pearls, &c.	300	–	–	
4	Mundu or sirband, 221 pearls, &c.	225	–	–	
5	Turra of pearls, &c., 132 pearls	100	–	–	
6	Bali, six pearls	200	–	–	
7	Chaukra, four pearls	80	–	–	
8	Dastband, four, 326 pearls	250	–	–	
9	Nose-rings, two, 10 pearls	10	–		
10	Bhal Chandra, three diamonds, two pearls	70	–	–	
11	Surpech, two large pearls	25	–	–	
12	Kara Sher Dahn, two	33	–		
13	Makut, one diamond and one pearl	450	–	–	
14	Kardhani Tilai	125	–	–	
15	Gold, *Rs.* 29	(Not clearly traced.)			
16	Kara Tilai, four	220	–	–	
17	Sikrab Tilai, four	225		–	
18	Kara, small, hollow, two	12	–	–	
19	Gold Katori, five	850	–	–	
20	Mala of Coral, 75 beads	2	–	–	
21	Pankhi, plated, one	13	–	–	
22	Chauwar, plated, one	3	–	–	
23	Thal of gold	2,068	–	–	

LIST—*continued.*

No.	List of 1858.	List of 1861 as Valued by Treasurer.			As sold by Smyth & Co.
	Silver Articles.	*Rs.*	*a.*	*p.*	
24	Thali Rakabi, 15	1,033	–	–	
25	Silver candlesticks, two	84	–	–	
26	Large lotahs, two	133	–	–	
27	Umbrellas, two	51	–	–	
28	Lotahs, nine	133	–	–	
29	Arti, two	69	–	–	
30	Katori, 39	335	–	–	
31	Panch Patr, four	46	–	–	
32	Auhmani, four	16	12	–	
33	Dhup Dhani, two	61	–	–	
34	Ghanta, two	78	–	–	
35	Argha, two	21	8	–	
36	Kachla, two	63	–	–	
37	Dhup Batti Kabostan, two	50	–	–	
38	Batti ká bartan, eight	100	–	–	
39	Cnambara, two	76	–	–	
40	Itrdan, two, kalchi, two	23	8	–	
41	Dibba with kalsi, two	85	–		
42	Golabpash, three	67	–	–	
43	Garwi, one	41	–	–	
44	Lota with chain, two	57	–	–	
45	Chain of umbrella, one	11	–	–	
46	Gultrash, two	15	–	–	
47	Silver stand for conch, one	11	8	–	
48	Ditto - ditto	6	4	–	
49	Dastar, one	13	8	–	
50	Kanthi, one	8	–	–	
51	Sikra, four	17	–	–	
52	Dibbiya, one	16	–	–	
53	Tastari, one	17	8	–	
54	Camphor box, one	10	8	–	
55	Spoon, one	3	12	–	
56	Chambu, one	76	–	–	
57	Squirt, one	8	12	–	
58	Curtain rods, four	98	–	–	
59	Patakha, two	27	–	–	
60	Aftab Ghari, two	(Not traced.)			
61	Weapons, four	8	8	–	
62	Trident, one	11	–	–	
63	Punkha rods, four	7	12	–	
64	Umbrella rods, one	8	12	–	
65	Dasta for conch, two	–	14		
66	Chanwa, two	55	–	–	
67	Mundir, one	1	–	–	
68	Pieces of silver, two	1	6	–	
69	Silver wire, one	–	4	–	

(signed) *J. White,* Magistrate.

— No. 9. —

(Enclosure in No. 6.)

No. 3295—XIII.—62, dated the 4th April 1889.

From *J. J. F. Lumsden*, Esq., Commissioner, Benares Division, to Secretary to Government, North-Western Provinces and Oudh.

Sir,

WITH reference to paragraph 4 of my No. 1484—XIII.—62,* dated 14th February 1889, I have the honour to report that Mr. White has since informed me that the figures eaten up by white ants were clearly 9,600, and that the figure 13,800 was a clerical error. This explanation now clears up the discrepancy pointed out by me between the estimate of the treasurer and the figures entered in the list of confiscated property submitted with Magistrate's No. 70, dated 23rd May 1861.† I have also satisfied myself by a personal examination of the original list of property in the file in Magistrates's office that the figures eaten up by white ants could not be anything else than 9,600, as the total at the foot of the statement shows. Benares Magistrate's No. 70, dated 23rd May 1861,‡ with the list annexed, were sent on in original to Government with Commissioner's No. 76, dated 28th May 1861. If they are forthcoming you will be able to verify what I have stated above. Lest they should not be forthcoming, I send an amended copy of that letter (to be substituted for Enclosure No. 9§ of this office, No. 1484—XIII.—62, dated 14th February 1889),‖ substituting *Rs.* 9,600 for *Rs.* 13,800, the estimated value of gold and silver plates and jewels.

* No. 7 of this Return.

† *See* Appendix, No. IX.

‡ *See* Appendix, No. IX.

§ No. 7 of this Return.

‖ *See* Appendix, No. IX.

2. With reference to paragraph 5 of the above-quoted letter, Mr. White reports that there are no details of the auction sale forthcoming, Messrs. Smyth & Co. having only very lately destroyed all their old books and having no record of the details of the transaction. There is no information on this point in his own office.

3. With reference to paragraph 6, I have the honour to enclose extract, paragraph 4, of Magistrate's No. 9—XVII.—55, dated 1st March 1889,¶ together with copy of his No. 13—XVII.—55, dated 28th idem.*

¶ No. 10 of this Return.

* No. 11 of this Return.

— No. 10. —

(Enclosure in No. 9.)

COPY of Extract, paragraph 4, of letter No. 9—XVII.—55, dated 1st March 1889, from *J. White*, Esq., Collector of Benares, to *J. J. F. Lumsden*, Esq., Commissioner, Benares Division.

4. In the enclosure to No. 70 of 23rd May 1861,† there is given the following detail of houses, &c., confiscated and proposed for sale, and with this I give the details as per auction report of Messrs. Smyth & Co., dated 2nd September 1861. It is impossible to completely reconcile the list with the other as the descriptions differ so greatly. But I think it is clear that the two lists are lists of identically the same property. So far as I am able to ascertain from a perusal of the lists, none of these premises appertained to the Ganesh Mandil. I will, however, now direct the Tahsíldár to make a thorough inquiry and report to you the result. I may observe that in the original rough copy of the list attached to No. 70 there is the entry "Stone-built house and ghát called Ganesh Mandil, thána kotwáli." This is struck out, and the remark is marginally made: "In possession of Anna Gorae." The estimated value is set down as *Rs.* 22,000. This, there can be no doubt, is the temple, the attachment of which was, as you know, at once removed.

† *See* Appendix, No. IX.

— No. 11. —

(Enclosure in No. 9.)

No. 13—XVII.—55, dated the 28th March 1889.

From *J. White*, Esq., Collector of Benares, to Commissioner, Benares Division.

Sir,

In continuation of my No. 9—XVII.—55, dated 1st March 1889, I have the honour to inform you that from inquiries instituted through the Tahsíldár, Benares, I have come to know for certain that none of the premises auctioned by Messrs. Smyth & Co. appertained to the Ganesh Mandil.

— No. 12. —

(No. 1337.)

From *A. P. M'Donnell*, Esq., C.S.I., Secretary to the Government of India, to the Secretary to the Government of the North-Western Provinces and Oudh.

Home Department—Public.

Sir, Simla, 29 July 1889.

I am directed to acknowledge the receipt of your letter, No. 1054—III. 302-A-19,* dated the 25th May 1889, re-submitting with a report and remarks by His Honor the Lieutenant Governor and Chief Commissioner the memorial* from Captain A. W. Hearsey on behalf of Ramchandra Rao Pindsay, on the subject of his claim to certain property and moneys which are alleged to have belonged to the temples of Ganesh, Shiva, Anpurna, and the Chattra of the City of Benares, and to have been confiscated by Government with the property of the rebel Raos of Kirwee.

* No. 6 of this Return.

Dated 23rd February 1888. (No. 3 of this Return.)

2. In reply I am to say that after a careful consideration of the papers forwarded, the Governor General in Council concurs in the view expressed by the Lieutenant Governor and Chief Commissioner that there is no satisfactory evidence that any of the property now claimed belonged to the temples. Thirty years and more have elapsed since the property which appeared to appertain to the temples was restored; and if any articles really appertaining to them had been kept back by inadvertence, a claim should have been, and in all probability would have been, preferred at a very early date. The claim now preferred is not only unsupported by any evidence, but is also improbable and inconsistent with the claimant's own conduct. I am therefore to request that, with the permission of His Honor the Lieutenant Governor and Chief Commissioner, Captain Hearsey may be informed that the Government of India refuses to recognise it.

3. With regard to paragraph 7 of the memorial which Captain Hearsey asks for a public inquiry, I am to request that he may be reminded that such an inquiry as he appears to desire could only be held by the ordinary Courts of Justice, which are open to every one.

I am, &c.
(signed) *A. P. M'Donnell*,
Secretary to the Government of India.

APPENDIX.

Copies of Letters referred to in No. 6.

(1.)

No. 121, dated the 1st February 1858.

From *H. P. Fane*, Esq., Magistrate of Benares, to Commissioner, Benares Division.

Sir,

I HAVE the honour to report, for the information of Government, that in consequence of the appearance in the "Calcutta Gazette" of the 13th instant of the notice issued by the Accountant General, to the effect that the promissory notes belonging to Narayan Rao and Madho Rao, the adopted sons of the late Vinayak Rao, of Karwi, in the Bánda district, had been stopped in consequence of these individuals being in open rebellion against the State, I have attached the following property belonging to them in the town and district of Benares :—

	Rs.	*a.*	*p.*
Thirteen houses and buildings in the town of Benares, valued at about	7,770	–	–
Three gardens with buildings	5,871	–	–
Two fields near the town	1,620	–	–
Balance of a loan by Vinayak Rao to Bábu Har Shankar Prasad Singh, payable in instalments of *Rs.* 10,000 per annum	30,000	–	–
Balance of a loan by Vinayak Rao to Bábu Hari Chand, which will be repaid at once (if demanded by Government) *Rs.* 80,000 in promissory notes, and the balance in cash	93,441	5	3
Amount of a loan by Vinayak Rao to Anna Goray, which will be repaid at once by a promissory note of the same amount	20,000	–	–
The Ganesh Mandil and buildings attached and ghát, valued at	22,000	–	–
The jewels, ornaments, and vessels belonging to Ganesh Mandil	4,000	–	–
The Anpurna Chattar, an establishment endowed by Amrit Rao, father of the late Vinayak Rao, for feeding Brahmans	32,920	–	–
The brass vessels belonging to the Anpurna Chattra	676	–	–
A deposit bearing interest at the rate of 4 per cent. per annum, the interest of which is expended in feeding Brahmans at the Anpurna Chattar	2,00,000	–	–

2. I have allowed the Ganesh Temple and the Chattar to remain open, and the worship at the former, and the feeding of 1,000 or 1,200 Brahmans daily at the latter to go on as usual, but have taken into my own custody the jewels and gold and silver vessels belonging to the temple, and also the houses and land.

3. Since the attachment of the Chattar I have ascertained that it was established and endowed by Amrit Rao, who, in the year 1817, deposited with Government *Rs.* 2,00,000, bearing interest at the rate of 6 per cent., the interest to be paid to persons appointed by him in order to be appropriated to defraying the charges of a temple at Benares. In 1837, the rate of interest on this deposit was reduced to 4 per cent. A copy of the correspondence on the subject is annexed.

4. The interest of the deposit suffices for an expenditure of *Rs.* 8,000 per annum; but additional sums, amounting to *Rs.* 10,000 and sometimes to *Rs.* 15,000 per annum, have for some years been regularly paid by the family. The number of Brahmans fed has much increased during the last six or eight months, the rule being to give a certain quantity of food and three pies to every Brahman who applies. At present abous 1,000 Brahmans are fed and receive three pies (a pice) daily.

5. The expenditure now is much more than is covered by the monthly amount of interest on the deposit for *Rs.* 2,00,000; but the person in charge of the establishment has in hand a large stock of food and about *Rs.* 3,000, which will suffice with the interest for some months from this time. I have not thought it desirable to attach the grain or to order any diminution to be made in the expenditure of the Chattar, and am of opinion that the Chattar and also the deposit for *Rs.* 2,00,000 should be at once released from attachment.

6. In conclusion, I would beg to state that Doctor Cheek very kindly superintended the attachment of the greater portion of the above-mentioned property.

(2.)

No. 74, dated Benares, the 1st February 1858.

From *H. C. Tucker*, Esq., Commissioner, Benares Division, to Secretary to Government, North-Western Provinces.

Sir,

WITH reference to your letter No. 970, dated 27th ultimo, with its accompaniment, in regard to the provisions stated to be in store for feeding daily 1,200 Brahmans at the expense of Narayan Rao and Madho Rao, sons of Vinayak Rao, I have the honour herewith to submit a report (No. 121 of this day's date) from the Magistrate of Benares on the subject.

2. I quite agree with the Magistrate that the temple, Chattar, and interest on the deposit of *Rs.* 2,00,000 should at once be released from attachment.

(3.)

No. 21, dated Allahabad, the 18th February 1858.

From Secretary to Government, North-Western Provinces, to Commissioner, Benares Division.

Sir,

IN reply to your letter No. 74, dated 1st February, relative to the attachment of property belonging to Narayan Rao and Madho Rao, sons of the late Vinayak Rao, charged with rebellious proceedings in the district of Bánda, I am directed to intimate that the Right Honourable the Governor General has been pleased to approve of the temple and endowment, referred to in the 2nd paragraph of your letter, being excepted from attachment.

(signed) *W. Muir*, Secretary.

(4.)

No. 703, dated the 9th October 1860.

From *F. M. Lind*, Esq., Magistrate of Benares, to Commissioner, Benares Division.

Sir,

I HAVE the honour to submit, for your inspection and ultimately for the orders of Government, some papers connected with the confiscation of property belonging to the rebel, Narayan Rao. A large quantity of jewels is now lying in the treasury awaiting final orders for disposal; but as it appears to me that nothing further is likely to be done through the channel in which the correspondence originated, viz. the Special Commissioner's office, I have thought it best to bring the case to your notice, in order that you may move Government for final orders should you deem such a course necessary.

Much of the correspondence is in the Judge's office, vernacular proceedings only having been forwarded to this office in the way of instructions. This correspondence no doubt the Judge will furnish you with on application. In the meantime, I beg to subjoin a brief narrative of the proceedings taken subsequent to the confiscation. This information will be found in its proper place in the vernacular record.

On 28th February 1859, Mr. Pollock ordered the sale of Narayan Rao's and Madho Rao's property on the back of a proceeding received from the Special Commissioner of Benares. In this proceeding Mr. Becher refers to letter No. 119, dated 2nd February 1859, received from the Special Commissioner of Bánda in reply to his letter No. 30, dated 18th idem. The Special Commissioner of Bánda states that no final orders have been received from Government regarding the disposal of the property of Narayan Rao and Madho Rao, but that the impounding of the joint property had been ordered.

On 7th March, Mr. Becher sent a proceeding questioning the propriety of selling the joint property. Mr. Pollock made inquiries if the property had been impounded without any specification of ownership, and on 26th March Pandit Gokul Chand replied in the affirmative.

On 13th April, the Special Commissioner sent intimation by vernacular proceedings of the sanction of Government to the confiscation of the property of the Ráni of Jhánsi Narayan Rao, and the Nana. Reference is made in this proceeding to Special Commissioner's letter No. 57, dated 24th March 1859, and G. O. No. 1157, dated 9th April following.

On this, on 10th May, Mr. Pollock again ordered sale of the property to take place.

On 24th idem, Mr. Alone, discovering the property to be in the names of both Narayan Rao and Madho Rao, ordered postponement of sale.

Subsequent to this a letter was received from Madho Rao, praying for a postponement of sale until final orders were received fron Government regarding the joint property. Nothing seems to have been done in the matter since.

(5.)

No. 168A., dated the 13th October 1860.

From, *F. B. Gubbins*, Esq., Commissioner, Benares Division, to Secretary to Government, North-West Provinces.

Sir,

I HAVE the honour to submit the following particulars for the consideration and orders of His Honor the Lieutenant Governor, North-Western Provinces.

2. The Magistrate of Benares has, in a letter No. 703 of the 9th instant, applied to me for orders relative to the disposal of certain property (a great portion of which consists in jewels and the rest in houses and debts) which he finds to be still in his custody when taking charge of the district from Mr. Pollock, and which formerly belonged to Narayan Rao and Madho Rao, the rebel chiefs of Karwi, in zila Bánda.

3. He states that the sale of the property of Narayan Rao and Madho Rao was first ordered by the Officiating Magistrate, Mr. Pollock, on 28th February 1859, but was postponed owing to the Special Commissioner, Mr. Becher, having questioned the propriety of the measure. That subsequently on 10th May following, on receipt of the G. O. No. 1157, dated 9th April, sanctioning the confiscation of *Narayan Rao's* property, sale was re-ordered by the Officiating Magistrate, but again deferred on it being discovered that the property belonged to both Narayan Rao and Madho Rao, and that since then nothing seems to have been done in the matter.

4. On examining the correspondence that has passed on the subject between the Special Commissioners of Benares and Bánda, as well as the orders received by these officers from Government, I find that Mr. S. Becher, on the 24th March last, held a proceeding against the rebel, Narayan Rao, lately deceased, in which he charged the said Narayan Rao with open rebellion, and quoting certain communications received from the Special Commissioner of Bánda, proceeded to pass sentence of confiscation against any property of his that might be found within the Benares district.

5. It is difficult to say what concern Mr. Becher, as Special Commissioner of Benares, had with this case, or under what authority he acted. As pointed out in my letter No. 50, dated 27th March last, when commenting on some other irregular proceedings of Mr. Becher's, I would observe that all that a Special Commissioner can do under the powers vested in him by law is to try rebels and convict them with consequent confiscation of their property; but that the duty of hunting out and confiscating property belonging to rebels who have already been convicted in other districts is quite foreign from the duties of a Special Commissioner.

6. Mr. Becher, however, made a report of his proceedings to Government in a letter No. 57, of the 24th March 1859, and obtained sanction thereto in G. O. No. 1157, under date the 9th April, idem.

7. I would therefore now recommend that an agent be appointed on the part of Madho Rao,* the second adopted son of the late Mahárája Vinayak Rao, in order to effect the partition of the property which was thus conjointly inherited by him and Narayan Rao, and that on such partition being effected, that portion which shall have been allotted to Narayan Rao be put up to auction and sold to the highest bidder.

8. The late Mahárája Vinayak Rao and his heirs had a very intimate connection with the city of Benares, where they had a sort of mercantile firm and many dependents and agents, so that there would be no difficulty in appointing an agent at his place to act on the part of Madho Rao in the partition of the property in question.

(6.)

No. 3198A., dated Camp Mainpuri, the 24th December 1860.

From Secretary to Government, North-West Provinces, to Commissioner, Benares Division.

Sir,

I AM directed to acknowledge your letter No. 168A., and in reply to state that nothing can be done in respect to the property of Madho Rao and Narayan Rao until a reply shall have been received to a reference made to the Government of India on the subject in October 1859.

2. The attention of His Excellency the Viceroy in Council has again been directed to the matter.

G. Couper, Secretary.

* This person's property has, I believe, not been confiscated by Government, his tender age having excused his seeming participation in Narayan Rao's rebellion.

No. 284, dated the 28th December 1860.

COPY forwarded to Magistrate of Benares for information, in reply to No. 703, dated 9th October last, and original Enclosures returned.

F. B. Gubbins,
Commissioner, Benares Division.

(7.)

No. 383A, dated Naini Tal, the 2nd May 1861.

From Secretary to Government, North-Western Provinces, to Commissioner, Benares Division.

Sir,

WITH reference to Mr. Gubbins' letter No. 168A, dated the 13th October last, and in continuation of my reply, No. 3198A, dated the 24th December, I am directed to forward the accompanying copy of a letter from the Secretary to the Government of India, in the Foreign Department, with the Governor General, dated the 13th February last, from which you will perceive that His Excellency has declared his intention not to set aside the sentence of confiscation which has been passed in respect to the property of Madho Rao. The whole of the property, therefore, referred to in Mr. Gubbins' letter above cited, consisting of jewels, houses, and debts, belongs to the Government, and you will be pleased to take immediate steps to recover the whole of any outstanding debts to the estate, and the whole money, prommissory notes, or other property belonging to it.

G. Couper, Secretary.

Enclosure in (7).

No. ——, dated Camp, Benares, the 13th February 1861.

From *A. R. Young*, Esq., Secretary to the Government of India, with the Governor General, to Secretary to Government, North-Western Provinces.

Sir,

I AM directed to acknowledge the receipt of your letter No. 4412, dated the 6th October last, submitting, for the decision of the Government of India, a question in regard to the rights of Madho Rao in the estates of the late Vinayak Rao.

2. The difficulty which has occurred to the Lieutenant Governor appears to have originated in the idea that it was contemplated by the Government to set aside the sentence of confiscation which has been passed in respect to the property of Madho Rao. But there has been no such intention on the part of Government. The sentence against Madho Rao as well as that against Narayon Rao, so far as the confiscation of their rights in the estate of the late Vinayak Rao is concerned, will be duly carried out. It is unnecessary, therefore to raise the question what their respective rights were, or on what terms the dispute between them on this point was arranged. The rights of both, whatever they may have been, are now vested in the Government, and will be enforced.

3. But while refusing to recognise any rights of Madho Rao in the confiscated estates of the late Vinayak Rao, it is the Governor General's wish that a liberal provision should be made for him out of these estates, and I am to request that the Lieutenant Governor will, state for His Excellency's information, how, in His Honor's opinion, this may be most conveniently accomplished. A full statement of the landed estates which were forfeited by the heirs of Vinayak Rao and of their approximate value should accompany any suggestion which the Lieutenant Governor may offer.

(8.)

No. 51, dated Benares, the 7th May 1861.

COPY forwarded to the Magistrate of Benares, in continuation of No. 284, dated 24th December 1860, with a request that immediate steps may be taken to carry out the orders of Government.

S. T. Becher,
Officiating Commissioner, Benares Division.

(9.)

No. 70, dated the 23rd May 1861.

From *J. Pollock*, Esq., Magistrate of Benares, to Commissioner, Benares Division.

Sir,

WITH reference to the correspondence noted on the margin, I have the honour to inform you that I have taken steps towards recovering the money due to Narayon Rao and Madho Rao.

(1.) Magistrate to Commissioner, No. 703, dated 9th October 1860.
(2.) Commissioner to Magistrate, No. 284, dated 28th December 1860.
(3.) Commissioner to Magistrate, No. 51, dated 7th May 1861.

I beg now to enclose a list of confiscated house and land property belonging to these rebels, and to request the favour of your obtaining the sanction of Government to my selling the whole property belonging to both of them.

Enclosure in (9).

List of Confiscated Property belonging to Narayan Rao and Madho Rao in the District of Benares, proposed to be brought to sale.

No.	Description of House.	Estimated Price.
		Rs.
1	A one-storied brick-built house at Rámghát in the jurisdiction of thána Kal Bhairo.	654
2	A three-storied brick built house at Rámghát in the jurisdiction of thána Kal Bhairo.	270
3	A four-storied brick and stone-built house at Rámghát in the jurisdiction of thána Kal Bhairo.	779
4	A two-storied brick and stone-built house at Mohalla Trimohani Rajmandil, thána Kal Bhairo.	396
5	A one storied brick-built house at Muhalla Trimohana Rajmandil, thána Kal Bhairo.	438
6	A brick-built house at Narud ghát, thána Bhelupura - -	584
7	Five brick-built houses within one compound at Barumpuri, thána Bhelupura.	2,500
8	A brick-built house at Durga ghát, thána Kal Bhairo - -	1,099
9	A stone-built house with two separate compounds at Narud ghát, thána Bhelupura.	1,050
10	A garden at Sunka, thána Bhelupura - - - - - -	806
11	A garden surrounded by brick built wall at Nandghát, thána Bhelupura.	565
12	A plot of land at Durga Kund Karukshetra, thána Bhelupura	270
13	A plot of land measuring 18 bighas at Durga Kund Karukshetra, thána Bhelupura.	1,350
14	A village named manza Manda Di in the jurisdiction of thána Rohania.	3,600
15	Gold and silver plates and jewels - - - - -	*9,600
	TOTAL - -	23,961

* Eaten up by white ants; amount noted by calculation.

(10.)

No. 637A, dated Naini Tal, the 5th July 1861.

From Secretary to Government, North-Western Provinces, to Commissioner, Benares Division.

Sir,

I AM directed to acknowledge the receipt of your letters noted in the margin.

No. 76 of 28th May last, and Enclosure.
No. 82 of 10th ultimo, and Enclosure.
No. 84 of the same date, and Enclosure.

2. In reply, I am directed to convey the sanction of the Lieutenant Governor to the sale of the confiscated property of Narayan Rao and Madho Rao, as described in the list which forms the enclosure of the first of these letters; and with regard to the second, I am further to state that His Honor approves of the sale of the property being entrusted to Messrs. Smyth & Co. of Benares, who will receive the ordinary remuneration of 5 per cent. on the amount realized.

 3. With

3. With respect to your third letter under reply, I am to observe that it is obvious that the Government can claim the whole sum due from the widow of the late Hari Chand, both principal and interest in cash.

4. It appears that the sum of *Rs.* 85,000 was made over to the deceased by the late Mahárája Vinayak Rao on a very low rate of interest; this he invested in Government promissory notes of the 4 per cent. loan, and the widow wishes the Government to take the amount of the Debt due to it as the representatives of the heirs of the late Mahárája Vinayak Rao in these promissory notes at par, although they are now at a discount of 22 per cent.

5. Such a proposition both in law and in equity is altogether untenable. It is admitted that Hari Chand received the whole amount in cash from Vinayak Rao, and it is immaterial to Government in what way the money was invested. If it had been embarked in a speculation which yielded a handsome profit, the widow would doubtless have thought it unreasonable if the Government had claimed the profit as well as the principal. And similarly, as Hari Chand thought fit to invest it in securities which are now at a discount, the Government will not consent to be a loser by accepting payment in those securities at par.

6. You are, therefore, requested to instruct the Magistrate of Benares to recover the whole amount, both principal and interest, in cash from the representatives of Hari Chand.

(signed) *G. Couper*, Secretary.

(11.)

No. 103, dated Benares, the 2nd September 1861.

From *F. B. Gubbins*, Esq., C.B., Commissioner, Benares Division, to Magistrate of Benares.

Sir,

I HAVE the honour to request that you will report what steps (if any) have been taken to realise any outstanding debts that may be due to the late Vinayak Rao, and which have lapsed to the State owing to the rebellion of his adopted sons, Narayan Rao and Madho Rao.

2. The information is called for by Government.

3. I shall also be obliged by your reporting the result of the sale of the houses and jewels belonging to the same estate.

(12.)

No. 118, dated the 3rd September 1861.

From *J. H. Bax*, Esq., C.B., Magistrate of Benares, to Commissioner, Benares Division.

Sir,

IN reply to your letter No. 103, dated 2nd instant, I have the honor to inform you with reference to the 1st paragraph, that Musamat Manki Bahu, widow of Hari Chand, has been on a pilgrimage to Jaggarnath, and is returning with all speed to make arrangments for the payment of the money due to the estate of Narayan Rao and Madho Rao.

2. I have given her up to this time three months including four tensions to pay the cash down, allowing for the information reaching her and her return to Benares.

3. The time has elapsed. Letter was received from her from Madhopur yesterday, announcing her intended speedy return by dâk from Rániganj.

4. I have, however, as security for the money her promissory notes in my hands to the value of 1½ lakhs of rupees, which I had intended selling by auction if I had any suspicion that she intended avoiding speedy payment. As, however, her gumashta has assured me that no vacillation exists, I am waiting a few more days to see the result.

5. In reply to your 3rd paragraph, I beg to inform you that the sale of the jewels conducted by Messrs. Smyth & Co. realised *Rs.* 12,782–5, after deducting commission of 5 per cent. The houses and gardens realised *Rs.* 31,209–2–6, after deducting commission of 5 per cent.

6. There is still a village left unsold: the date fixed for its sale is the 9th September.

7. I have reason to suppose that this village will sell for not less than *Rs.* 10,000.

EAST INDIA (BENARES TEMPLES).

REPORTS of the Commissioner of Benares to the Government of India, of 14 February 1889 and 4 April 1889, as to certain PROPERTY and TRUST FUNDS belonging to the Temples of Gunnesh, Shira, and Anpurna, and the Chattra of Benares; and, of any DESPATCH from the Government of India relating thereto.

(*Mr. Bradlaugh.*)

Ordered, by The House of Commons, *to be Printed,* 9 *June* 1890.

[*Price* 3 *d.*]

Under 3 *oz.*

214 H.- 9. 7 90.

REPORT

FROM THE

SELECT COMMITTEE

ON

EAST INDIA (CIVIL SERVANTS);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOC.

Ordered, by The House of Commons, *to be Printed,*
29 *July* 1890.

LONDON:
PRINTED BY HENRY HANSARD AND SON;
AND
Published by EYRE and SPOTTISWOODE, East Harding-street, London, E.C.,
and 32, Abingdon-street, Westminster, S.W.;
ADAM and CHARLES BLACK, North Bridge, Edinburgh;
and HODGES, FIGGIS, and Co., 104, Grafton-street, Dublin.

East India (Civil Servants).

[*Monday, 23rd June* 1890]:—*Ordered,* That a Select Committee be appointed to consider and Report upon the alleged Grievances of the Uncovenanted Civil Servants of India, arising from the change in the relative value of Gold and Silver Money, and their Leave and Pension Rules.

Committee nominated of—

Mr. King.
Mr, Howorth.
Sir Stafford Northcote.
Mr. Bristowe.
Viscount Baring.
Sir William Plowden.
Mr. Barbour.
Mr. Alfred Pease.
Mr. Buchanan.
Mr. MacNeill.
Sir John Gorst.

That the Committee have power to send for Persons, Papers, and Records.

That Five be the Quorum of the Committee.

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REPORT.

THE SELECT COMMITTEE appointed to consider and Report upon the alleged Grievances of the UNCOVENANTED CIVIL SERVANTS of INDIA, arising from the change in the relative value of Gold and Silver Money, and their Leave and Pension Rules:——HAVE considered the matters to them referred, and have agreed to the following REPORT:—

YOUR Committee are of opinion:

1. That the unforeseen change in the relative value of gold and silver money affords equitable grounds for a re-adjustment of the pensions of Uncovenanted Civil Servants resident in the United Kingdom.

Your Committee have taken evidence, and have agreed to the following Resolutions:—

2. That a minimum rate of exchange for payment of pensions should be fixed by the Government.

3. That the minimum rate shall be One shilling and ninepence (1 *s.* 9 *d.*) to the rupee.

4. That no distinction in the furlough and pension rules should be made between Europeans and Natives of India.

5. That some period of furlough should in all cases count as service for pension.

6. That pensionable service should commence at the age of 20.

Your Committee are further of opinion that the greater part of the grievances of the Uncovenanted Service is due to the ambiguity in which the terms of service have from time to time been stated, and recommend that in future there shall be as nearly as possible a uniform scheme, which shall explicitly describe the terms of pension and furlough.

Your Committee have had their attention called to the obstacles in taking furlough, arising from the insufficiency of the present furlough pay, and they recommend this matter to the consideration of the Secretary of State in Council.

29 *July* 1890.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 2nd July 1890.

MEMBERS PRESENT:

Mr. Barbour.
Mr. Bristowe.
Mr. Buchanan.
Sir John Gorst.
Mr. Howorth.
Mr. King.
Sir William Plowden.
Mr. Alfred Pease.
Viscount Baring.
Mr. MacNeill.

Sir JOHN GORST was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 8th July 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Sir William Plowden.
Mr. Arthur Pease.
Mr. Bristowe.
Mr. Buchanan.
Mr. Howorth.
Viscount Baring.
Mr. Barbour.
Mr. MacNeill.

Mr. *Edward Jenkins* was examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 10th July 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. King.
Mr. Pease.
Mr. Buchanan.
Mr. Bristowe.
Mr. Barbour.
Mr. MacNeill.

Mr. *G. J. Heynes*, Mr. *C. J. Rivett Carnac*, Mr. *F. C. Barnes*, Mr. *G. M. Drury*, Mr. *George O'Donnell*, Mr. *F. J. Rowe*, M.A., Mr. *Sydney Hutchinson*, and Mr. *A. Dalzell*, were examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 15*th July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Viscount Baring.	Sir William Plowden.
Mr. Bristowe.	Mr. Buchanan.
Mr. King.	Mr. Howorth.

Mr. *Robert Arthur Read*, Mr. *Thomas Ellis Owen*, Mr. *Frederick Robert Upcott*, Mr. *Henry A. Shrapnell Fenner*, Mr. *Paul Dangerfield*, Mr. *John Elston*, Mr. *William John Greer*, and Mr. *J. P. Davidson*, were examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 17*th July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Barbour.	Sir William Plowden.
Mr. Bristowe.	Viscount Baring.
Mr. King.	Mr. Buchanan.
Sir Stafford Northcote.	Mr. Howorth.

Mr. *Stanley De Brath*, Mr. *R. R. Menneer*, Mr. *Morris Leslie*, Sir *Bradford Leslie*, K.C.S.I., Mr. *Stack*, Mr. *W. M. Fletcher*, Mr. *Thomas Jones*, and Mr. *P. V. Luke*, C.I.E., were examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 22*nd July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Sir William Plowden.	Mr. King.
Mr. Bristowe.	Mr. Howorth.
Mr. Buchanan.	Mr. Alfred Pease.
Mr. Barbour.	

Mr. *J. Chisholm*, Mr. *H. E. Watson*, Mr. *W. R. Fisher*, B.A., Mr. *A. S. Betts*, Mr. *L. P. Walsh*, Mr. *William Smith*, Mr. *Henry Prince*, Mr. *H. B. Medlicott*, Dr. *C. A. Martin*, B.A., LL.D., Mr. *J. H. Merriman*, Mr. *Peter Hordern*, and Mr. *S. J. Harrison*, were examined.

The room cleared.—Committee deliberated.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 24*th July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. King.	Mr. Barbour.
Mr. Buchanan.	Mr. MacNeill.
Mr. Alfred Pease.	

Mr. *Hesketh Biggs*, Mr. *Henry Alfred Greig*, and Mr. *H. Waterfield*, C.B., were examined.

[Adjourned till To-morrow, at Twelve o'clock.

Friday, 25th July 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Bristowe.	Sir William Plowden.
Mr. King.	Mr. Buchanan.
Mr. Alfred Pease.	Mr. Barbour.
Mr. MacNeill.	

Mr. *Henry Waterfield*, C.B., was further examined.

The Committee deliberated.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 29th July 1889.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Bristowe.	Mr. King.
Sir William Plowden.	Mr. Howorth.
Sir Stafford Northcote.	Mr. Alfred Pease.
Mr. Buchanan.	Mr. Barbour.

The Committee deliberated.

Motion made, and Question, "That the Committee are of opinion that the unforeseen change in the relative value of gold and silver money, affords equitable grounds for a re-adjustment of the pensions of Uncovenanted Civil Servants resident in the United Kingdom"—(Mr. *King*),—put, and *agreed to.*

Motion made, and Question, "That the Committee are of opinion that a minimum rate of exchange for payment of pensions should be fixed by the Government"—(Sir *William Plowden*),—put, and *agreed to.*

Motion made, and Question put, "That the fixing of the minimum rate should be left to the discretion of the Secretary of State"—(Mr. *Barbour*).—The Committee divided:

Ayes, 3.	Noes, 6.
Mr. Barbour.	Mr. Bristowe.
Mr. Buchanan.	Mr. Howorth.
Sir William Plowden.	Mr. King.
	Mr. MacNeill.
	Sir Stafford Northcote.
	Mr. Alfred Pease.

Motion made, and Question proposed, "That the Committee recommend that the minimum rate be 1 *s.* 9 *d.* to the rupee"—(Mr. *Bristowe*).—Amendment proposed, after the word "recommends" to insert the words "if found possible, on due consideration being given by the Secretary of State in Council to the financial exigencies of the Indian Exchequer"—(Mr. *Buchanan*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.	Noes, 6.
Mr. Barbour.	Mr. Bristowe.
Mr. Buchanan.	Mr. Howorth.
Sir William Plowden.	Mr. King.
	Mr. MacNeill.
	Sir Stafford Northcote.
	Mr. Alfred Pease.

Main Question put, and *agreed to.*

Resolved, That the Committee recommend that the minimum rate be 1 *s.* 9 *d.* to the rupee.

Motion made, and Question, "That the Committee are of opinion that no distinction in the furlough and pension rules should be made between Europeans and Natives of India"—(Sir *William Plowden*),—put, and *agreed to.*

Motion

Motion made, and Question, "That the Committee are of opinion that some period of furlough should in all cases count as service for pension"—(Sir *William Plowden*),—put, and *agreed to.*

Motion made, and Question, "That pensionable service should commence at the age of 20"—(Mr. *King*),—put, and *agreed to.*

Question, "That these Resolutions be reported to the House,"—put, and *agreed to.*

DRAFT REPORT, proposed by the *Chairman,* brought up, and read the first time, as follows:—

"Your Committee have heard evidence, and have agreed to the following Resolutions:

"The Committee are of opinion—1. That the unforeseen change in the relative value of gold and silver money affords equitable grounds for a re-adjustment of the pensions of Uncovenanted Civil Servants resident in the United Kingdom.

"2. That a minimum rate of exchange for payment of pensions should be fixed by the Government.

"3. That the minimum rate shall be one shilling and ninepence (1 *s.* 9 *d.*) to the rupee.

"4. That no distinction in the furlough and pension rules should be made between Europeans and Natives of India.

"5. That some period of furlough should in all cases count as service for pension.

"6. That pensionable service should commence at the age of 20.

"Your Committee are further of opinion that the greater part of the grievances of the uncovenanted service is due to the ambiguity in which the terms of service have from time to time been stated, and recommend that in future there shall be as nearly as possible a uniform scheme which shall explicitly describe the terms of pension and furlough.

"Your Committee have had their attention called to the obstacles in taking furlough, arising from the insufficiency of the present furlough pay, and they recommend this matter to the consideration of the Secretary of State in Council."

DRAFT REPORT read a second time.

Question, "That this Report be the Report of the Committee to the House,"—put, and *agreed to.*

Ordered, To Report, together with the Minutes of Evidence, and an Appendix.

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MINUTES OF EVIDENCE.

Tuesday, 8th July 1890.

MEMBERS PRESENT:

Mr. Barbour.
Viscount Baring.
Mr. Bristowe.
Mr. Buchanan.
Sir John Gorst.
Mr. Howorth.
Mr. MacNeill.
Mr. Alfred Pease.
Sir William Plowden.

THE RIGHT HON. SIR JOHN E. GORST, IN THE CHAIR.

Mr. EDWARD JENKINS, called in; and Examined.

Chairman.

1. WILL you state to the Committee, shortly, your qualifications to give evidence on this subject?—I was asked if I would give evidence, on the ground that I had been for some years connected with, I will not call it the agitation, but with the organisation which has been established for bringing this case before the Government and the House of Commons. Some years ago, as editor of the "Homeward and Overland Mails," it came under my notice that this subject was cropping up in India and being discussed, and it became my duty then to examine into it. That brought me into contact with the men who were principally concerned with the movement; and on looking into the papers and documents, and the whole case, I came to the conviction that they had an equitable claim upon the consideration of the Government. Subsequently, they made me chairman of their organisation, and I was chairman for two years, and it is not necessary to conceal that the case which has been circulated amongst honourable Members was drawn up by me, though, of course, I do not commit myself to the proof of all the statements which are contained in it.

2. You make a broad distinction in the classification of the Uncovenanted Civil Servants, into those who have been nominated in England and those who have been nominated in India?—Yes.

3. Do you also make a distinction between those nominated in England, according to their having been nominated under written covenants or without covenants?—Yes; I think you will

Chairman—continued.

find that is pointed out in the Case; one part of the case is devoted entirely to that. After the sixth grievance, on page 65, it will be seen that the question of the officers under covenant with the Secretary of State is specially treated.

4. By "under covenant" you mean, I presume, under a written covenant?—Under a written covenant. The covenants generally, I think, are printed.

5. I believe that it is generally admitted that the term "Uncovenanted Civil Service" is a misnomer?—I think it will be found that in Despatches and in Resolutions the service is referred to as an "Uncovenanted Service."

6. But is not that only a kind of literary description in default of any other proper name?—I think the reason of that is easily explained, by turning to the definition, because there is actually a definition of an uncovenanted officer in the code. I may call the attention of the Committee to the fact that "uncovenanted officer" is an official word, because a definition is given of it in the Pension Code. I have before me now the 6th edition, and at page 16 of the "Definitions" I find this: "Uncovenanted officer: An uncovenanted officer is a public servant not belonging to the Covenanted Civil Service, the Native Civil Service, or the Army;" so that it is an official definition.

7. Now will you tell the Committee which of the Civil Departments in India come under this description?—I do not know whether I may refer to the case which is in the hands of the

Chairman—continued.

the Committee. Perhaps it is the most convenient way to go through it.

8. Certainly?—Of course the Case is not in evidence, but parts of it can be put in evidence by my testimony. It is stated on page 2 that there are in India 23 Civil Departments of State, and they are there named: The Archœological Department; the Customs, the District Magistracy, and the Land Revenue; Excise or Abkari; Education; Finance; Forests; Geological; Jail; Judicial; Land Revenue, Survey and Settlement; Marine Department and Pilot Service; Meteorological Department; Mint; Opium; Political; Postal; Police; Public Works; Registration; Salt; Survey of India; and Telegraphs. And I may note it is stated in the case that all these Departments except three are under the control and supervision of the officers of the Uncovenanted Service. This is an important point. Perhaps you would allow me here to put an addition to that.

9. Certainly?—I might explain with regard to this that it is very important, in considering this question, to keep in view the fact that the Executive and Judicial Department is almost entirely composed, as far as the European element is concerned, of covenanted civilians; the covenanted civilians rule the Judicial and Executive Department; and, in the Report of the Public Service Commission, it will be remarked that almost the whole of the first part of that Report refers to that particular branch of the service, and that the uncovenated men, whose case is being presented here to-day, whose grievances are the subject of examination, really come under what are classed as "special departments," and that in those special departments almost the whole of the executive power and ability is in the hands of the European members of the uncovenanted service. Therefore it is very important to make that distinction; and the reason of it will be evident to the members of the Committee if they consider that the Judicial and Executive, which contains a very large representation of Asiatics on it, under the covenanted civilian, is the service to which the educated native would naturally take. It is a service which demands rather literary than practical or technical abilities. Therefore it is found that that service is crowded with natives, while, on the other hand, the technical services, those which are classed as special services in the Report of the Public Service Commission, will be found to be less frequented by natives; that is to say, in the highest branches hardly any natives are found.

10. You have given in your Case a rough comparison of the numbers of Europeans and Asiatics in the Uncovenanted Civil Service, which is to be found at page 3?—Yes.

11. Would you state that in evidence to the Committee?—The number of uncovenanted Civil officers is approximately as follows (this is based on the Report of the Public Service Commission): Non-domiciled Europeans, 1,600; domiciled Europeans and Eurasians, 600; Asiatics, 2,600; therefore the total is 4,800. Of covenanted Civil officers the numbers are approximately as follows: Non-domiciled Europeans, 900, and Asiatics, 10. I understand from the Public Service Report that the total effective strength is 941; but the number who are actively engaged is something like between 700 and 800, the rest being on furlough. In addition to that there are between 60 and 70 Asiatics who are appointed by nomination under the Statute of 1870 to offices held by the Covenanted Service. These Asiatics are designated as Statutory civilians; but it must be noticed, and it is an important point perhaps to notice, that their pay and other emoluments are not equal to those of the European covenanted civilian.

Mr. *Howorth.*

12. Is that of the same grade?—Of the same grade; that is to say, practically engaged in the same offices as I understand, but with regard to that, my evidence must be taken as second hand. Perhaps here I may mention a point that comes in, and it is that already the number of the covenanted officers is very small, but it is being reduced, and it is being reduced by deliberate policy. In a Despatch of the Secretary of State on the Public Service Commission, No. 104, of September 1889 (the Blue Book is in the hands of Members), page 100, paragraph 24, this statement is made: "Since 1874, notwithstanding the constantly increasing demands for improved administration, the strength of the Covenanted Service recruited in England has been reduced by more than 22 per cent., and if existing orders be maintained it will, at no distant period, be reduced by 12 per cent. more." One reason of that I understand is that it is the policy of the Government of India not to indent for covenanted civilians, because covenanted civilians are so expensive, and their pay and emoluments and other matters are so much more expensive than those of the uncovenanted civilians; hence, for economy's sake, uncovenanted men are appointed by the Indian Government to posts usually reserved for civilians. In the non-regulation Provinces, uncovenanted civilians are appointed to high posts, such as "Deputy Commissioner" and others, and this has also been done in regulation Provinces. I have no right to draw any conclusion from that. I simply state the fact.

Chairman.

13. Will you now inform the Committee the different ways in which uncovenanted servants are admitted into the service?—They are admitted by examination in England, by examination in India, by nomination by the Secretary of State in England (and under that head of course come the covenants into which they enter with the Secretary of State, or some of the covenants into which they enter with the Secretary of State; not all), and by nomination in India. The majority of the civil officers belong to the last two categories, that is, that they are nominated by the Secretary of State in England, or nominated in India.

14. First of all, speaking of the men appointed by the Secretary of State under special covenants, what class of men are they?—They are the men in the Telegraph Department, the Public Works Department, and the men who are selected as professors

Chairman—continued.

professors for education, and some others in some of the other scientific branches.

15. Do those men enter under special written covenants?—Those men enter under forms of covenant.

16. Which is a contract between the Secretary of State and the civil servant?—Yes.

17. What are the classes of men who enter the Civil Service of India without any special written covenant?—I think there are some men, if I am not wrong, who are simply gazetted into the service without any covenant. Then there are the men who are prepared at Cooper's Hill, and who get a technical training at Cooper's Hill. These gentlemen, of course, are induced to enter Cooper's Hill by the issue of prospectuses, and these prospectuses state generally the terms of the service into which they are invited to enter. Then as regards the other gentlemen who may be gazetted into the service simply without having undergone any direct preparatory training for their duties at Cooper's Hill or elsewhere, they would be induced to enier the service by advertisements in the papers, and by prospectuses issued from the India Office.

18. So that the statements made in these Cooper's Hill prospectuses constitute practically the conditions under which men are invited to enter the service?—Precisely.

19. How are men appointed in India?—There the Supreme Government, or governors and lieutenant-governors of the various provinces, draft them into the service as they may be required. I believe that all appointmemts are subject to the approval of the Supreme Government in India, but they are recommended by the governors, or they are appointed by the Supreme Government. There is, also, I may mention, a college which was established, I believe, originally simply for Asiatics, the Roorkee College, to give Asiatics a technical training; but it was found that so few Asiatics came forward to attend that college that since then Europeans and Eurasians have been admitted.

20. Have you any wish to make any observation upon the distinction which has been drawn between men appointed at home and in India?—I think the only thing I wish to call the attention of the Committee to is that there is a distinction, and that that distinction is manifest in the rules which apply to the two services. There is a distinction which clearly comes out in the correspondence between the Secretary of State and the Government of India; a distinction drawn between men who have been appointed by the Secretary of State in England, and men who have been appointed in India; and there is no doubt that those who have been appointed by the Secretary of State have the benefit of more favoured rules, and are looked upon with more favour than those who are appointed in India; but I do not think I would be justified in saying what I have heard (and perhaps know) with regard to the manner in which that distinction works; I think that had better be done by some member of the service.

21. In the meantime you can refer the Committee to the argument upon this subject which is contained in pages 7, 8, 9, and 10 of the case, is it not?—Precisely; it is contained in pages 7, 8, 9, and 10 of the case.

Chairman—continued.

22. Can you tell the Committee shortly what is the claim which the Uncovenanted Civil Servants make?—That is a large question. I think they make an enormous number of claims; but I understand that the main points upon which they ask for a redress of their grievances are those which are set out on pages 13 and 14 of the case. First of all, they are paid their pensions in rupees, that is to say, they are paid in a currency which has depreciated to the extent of more than 30 per cent., and they contend that in any case a pension ought not to be fixed in a fluctuating currency. The point that a pension is deferred pay at once gives strength to that contention. The second grievance under the head of pensions is that by the provision of the Code the pension rules are made liable also to fluctuation; that is to say, that they can be altered at any time at the will of the Government, without regard to the interests of the men who have already entered the service. I may call the attention of the Committee to the bare statement of the fact in the Civil Pensions Code. I am now quoting from the sixth edition, the first page, second chapter, and second paragraph, "The Government reserves to itself the right of changing the rules in the Code from time to time at its discretion, and of interpreting their meaning. An officer's claim to pension is governed by the rules in force at the time when he resigns or is discharged from the service of the Government: he is not entitled to concessions withdrawn before or made after his resignation or discharge."

23. Would you read on to the end of that section?—I will. "The general purport of this rule is inserted by the Secretary of State in all covenants for service in India to which he is a party, which contains a promise of pension under the Uncovenanted Service Pension Rules." I may be allowed, perhaps, to point out that in many covenants that is not the case. I think it will be found that they began at a certain period; but when the various conditions of the covenants come to be compared, it will be found that certainly, as regards the East India Company, there never was in any covenant any word, so far as I can find out, which justifies this rule. In fact, I think I could show that the covenant of the East India Company distinctly meant to give the men the benefits of the rules under which they entered.

24. Will you, please, read the rest of the Case?—Then, third: "That the length of service exacted for pension, namely, 30 years' active service, exclusive of leave, has been proved by experience to be unreasonable in itself and injurious to the general efficiency of the European service in India; moreover, that it is exacted only from some classes of officers of the Uncovenanted Service, and not from civilian or military officers (who have, besides, in every way better terms of pay, leave, and pension), and certain favoured classes of the Uncovenanted European Service." The fourth is: "That no service

Chairman—continued.

service rendered before 22 years of age is allowed to count for pension, though the service rendered before 22 may be identical with that which counts for pension after the age limit has been passed." 5th. "That the portion of furlough counted towards pension is too restricted, especially having regard to the better terms granted to covenanted civilians and other European officials for that recruitment of health which is periodically essential for Europeans working in the Indian climate. 6th. That, while recognising with regard to civilians, and to some classes of the Uncovenanted Service, the claim of European officers to different pensionary conditions from those accorded to native officers, the Government enforces on certain classes of non-domiciled European uncovenanted officers the same pension rules as those applied to Asiatics, even in cases where such European officers fill posts for which natives are not fitted." It will be understood that this case refers only to the pensions question. There is also a "Leave" case; but on most points it overlaps the other, and there are only a few subsidiary points that have to be put under that head.

25. With regard to the payment of pensions in rupees, do the uncovenanted Civil servants contend that in their agreement with the Secretary of State they have stipulated for, or have, any legal right to a sterling pension?—I do not think they do contend that there is a legal right to a sterling pension, and the reason of it is that the Government has so managed its correspondence and its resolutions as to be able to deprive them of any chance of raising a legal question; but they do contend that they have equitable rights and a moral claim.

26. In the Case which has been distributed amongst the Committee there is a very long argument to show that there is this equitable right; you have got your statement before you?—I have.

27. I do not know whether you would like to call the attention of the Committee to the salient points of that argument, or to any facts which are stated in the argument, which ought to be borne in mind by the Committee?—I think the argument might be put in almost bodily, and allowed to speak for itself; but perhaps I can assist the Committee to this extent: The contention of the Service is that during the whole period when the Government of India was in the hands of the East India Company, the pensions were settled with their servants in sterling, and were so intended to be settled. The Committee will find on looking through the statement in the case, that, in fact, all accounts were settled during a long period by the Government of India with its civil and military servants, and of course, amongst others, its uncovenanted Civil servants, on the basis of 2 *s.* to the rupee. An interesting correspondence is referred to on pages 21 and 22. That was taken from the Report of the Select Committee on the Powers of the East India Company, which sat in 1831 and 1832, and was printed on the 16th August 1832. That shows that for a long period, from 1814 onwards, there was a contention between

Chairman—continued.

the Court of Directors and the Board of Control upon a proposition which had been put forward by the Court of Directors that the settlement of the accounts of the company should be made upon the basis of the current exchange, and not upon a fixed basis of 2 *s.* to the rupee. During the whole of this period the Board of Control resisted that proposition; and the grounds upon which it is rested are of some importance in this inquiry. Some of them are stated in the case; but I would call attention particularly to two more. On pages 295 and 296 of the Report of a Select Committee (16th August 1832), is a letter of the 30th June 1814, from the India Board to the Court of Directors, in which they say, "It would be neither wise to apply the rate resulting from the calculation propounded by the Court of Directors, to the purpose now under view, nor to use the rate which would result from the calculation on the actual market price of the precious metals, and much less the rate, according to the current exchange for the day, but that it will be far more eligible, on every consideration, to continue the rate of exchange that has generally obtained and been sanctioned by the usage of Parliament, as well in fixing of salaries and in the settlements of accounts between the public and the company, as in the accounts that have been annually presented to, or brought to the view of Parliament, for a long series of years. The rate so used has been as follows: 2 *s.* the current rupee, 8 *s.* the pagoda, 2 *s.* 3 *d.* the Bombay rupee. From all these considerations the Board has thought proper to determine that this rate of exchange, which may be considered as a medium rate, be used in conversion of the territorial payment in England into Indian currency." That is the first to which I draw attention. On the 3rd August 1815, the Board wrote to the Court of Directors, pages 298 and 299, of that Report.

28. What page of your Case are you quoting from?—None. These are additional points. "The only computation of the value of the Indian coins referred to in the negotiations between the company and the public, or submitted to the consideration of Parliament, were those of 2 *s.* to the current rupee. The pay of the Civil and Military service is received in Indian currency with the full understanding of its relative value to sterling, on rates which custom has rendered habitual. In the Civil the customary rate adopted by the Board is repeatedly prescribed in Acts of Parliament, and it would be unwise to make an alteration which might prove the means of furnishing grounds of claim to compensation." The Board of Control pointed out that the effect of altering the rate of exchange might be to furnish (evidently here to Civil servants and others) grounds for compensation. Then, following it on through years, we find that the rate was steadily maintained at 2 *s.* to the rupee, and the contention of the service is that that rate was meant and implied in all resolutions of the Government of India relating to salaries, or relating to pensions, down to the time of the Government of India Act of 1858. Then the Government of India Act, 1858, contained an express reservation of the rights of all Civil and other

Chairman—continued.

other servants then in the employ of the East India Company, and perhaps it would be convenient that I should read the exact terms of that section of the Act. The sections relating to that point are Sections 58 and 59: "All persons who at the time of the commencement of this Act, shall hold any offices, employments, or commissions whatever under the said company in India, shall thenceforth be deemed to hold such offices, employments, and commissions under Her Majesty as if they had been appointed under this Act, and shall be paid out of the revenues of India; and the transfer of any person to the service of Her Majesty shall be deemed to be a continuance of his previous service, and shall not prejudice any claims to pension, or any claims on the various annuity funds of the several Presidencies in India, which he might have had if this Act had not been passed." It then goes on to say that, "All orders, regulations, and directions lawfully given or made before the commencement of this Act by the Court of Directors, or by the Commissioners, for the affairs of India shall remain in force; but the same shall, from and after the commencement of this Act be deemed to be the orders, regulations, and directions under this Act, and take effect and be construed, and be subject to alteration or revocation accordingly." Therefore what is contended is that certainly as regards the men who entered the service prior to the Government of India Act, 1858, the right accrued to a settlement of all their pensionary claims at the rate of 2*s.* a rupee, that being the admitted rate (as I have already read) of the East India Company up to that time. The question, of course, will come a little later on how it was that they lost it; how it was managed. That brings us down to the year when the Government of India was transferred to the Imperial Government. Between that date and the year 1862 there is a short period during which rules which had been drawn up by the East India Company still applied to the men who came into the service of the Imperial Government; and then in 1862 a departure was taken (as is stated in the case) by Despatches which passed between the Government of India and the Secretary of State on the question of pensions. I shall be prepared to go through these if you wish me to do so.

29. I do not know that there is any necessity to go through the whole of what is stated in the Case in evidence?—No.

30. You are referring to the Despatch of 1862, in which pensions were made payable in England?—Perfectly so. That state marks another era, and brings in a new class of men, the men who joined between 1858 and that time. It is argued that the men who joined before 1858 were undoubtedly entitled to receive the maximum pensions, and to have them paid in sterling. We are only on the sterling £ now, and it will be understood that that is one of their contentions.

31. As a matter of fact, is it not the case that, up to the year 1862, these pensions were payable in India only, in the currency of the country?—They were payable in the currency of the country, which at that time was worth more than sterling. If I may be allowed to bring that point in now, I may call the attention of the Committee to the Appendices. They will see there that there are Tables showing the rates of exchange from 1837–38 to 1889–90. On page 73 of the Case, it appears (and this is very important in relation to the Despatch of 1862) that the rupee was at a premium. The "highest" rates which were current during those years show that the rupee was at a premium from 1850 down to 1862–63. First of all, there is a Table which has been supplied from India. It comes from an official source. In 1850–51, the highest rate was 2 *s.* 1 *d.*; the lowest was 2*s.* In 1851–52, the highest rate was 2*s.* 1 *d.*; in 1852–53, 2 *s.* 1 *d.*; in 1853–54, 2 *s.* 1 *d.*; in 1854–55, 2 *s.* 1 *d.*; in 1855–56, 2 *s.* 2 *d.*; in 1856–57, 2 *s.* $-\frac{1}{2}$ *d.*; in 1857–58, 2 *s.* 2 *d.*; and in 1858–59, 2 *s.* 2 *d.* They are stated here in pence, it will be noticed on page 73.

32. Why are the years 1859–60, 1860–61, and 1861–62 left blank?—Because that was the time of the Mutiny. During the Mutiny I believe there was no exchange of any kind; but on page 74 there is a statement which was furnished from the India Office on application by the Secretary of the uncovenanted Service of the official rates of exchange since 1837–38; the first year in which the company's rupee was issued for that purpose. Now it will be noticed that that return shows official rates of exchange which rather differ from those which are shown in the Appendix B. on page 73, and the explanation of that is that this Table (Table 2) simply gives what are practically the market rates of exchange until you come down to the year 1863; and it is hardly a fair thing to have put it in that way from the India Office, because those are not the official rates of exchange which were ruling during that time. It will be observed on page 73 that the official rate is stated down to 1872 as always at 2 *s.*, and I believe it is so; that that was the official rate at which all salaries were paid down to 1872; whereas if we turn to the Table which was sent from the India Office it will be noticed that the rates are given at 1 *s.* 11 *d.*, 1 *s.* 11 *d.*, 2 *s.* $-\frac{1}{2}$ *d.* and so on from 1837 downwards; to this year in fact; the market rates at which Council Bills were sold, and this Table ought to have shown that in 1872 and 1873, first came practically the question of establishing a lower official rate of exchange in the settlement of accounts between the Government of India and the Secretary of State.

33. Between the Government of India and the Imperial Government, you mean?—And the Imperial Government.

34. Between the Secretary of State for India and the Imperial Government?—Between the Secretary of State for India and the Imperial Government.

35. Are you not aware that those Tables which have been furnished are in fact the rates at which these adjustments did take place in those years?—I understand that the Table which is supplied from India, which, I think, comes from the Accountant General's Department; the first one, Table 1, does state the official rate at which exchanges

Chairman—continued.

changes were paid in all settlements with officers of the service.

36. Is it not a fact that that first Table professes to show the actual rates of exchange at which transactions took place between the Government of India and the outside public; while the second Table shows the rates at which transactions actually took place between the Government of India and the Imperial Government?—But, pardon me, that could not be so.

37. Do you say the first Table was supplied from India?—Yes.

38. Was it officially supplied from the Indian Government?—I cannot say that it was officially supplied. It was drawn out, I think, in one of the departments, I am not certain whether it was officially supplied; but I want to point out that certainly this is incorrect down to 1858, because, as will be seen, the Board of Control absolutely refused to come down to a fluctuating rate, and they retained the rate at 2 *s.* to the rupee. In the third column the official rate is stated at "always 24," down to 1871.

39. There is no evidence yet as to where this first Table comes from?—No.

40. I only want to put in a caveat that the second Table, though you say it is incorrect, is not to be assumed to be incorrect?—I only suggest that it is incorrect, I do not wish to say that it is. I simply wanted to point the attention of the Committee to that, so that inquiry might be made of witnesses from the India Office.

Mr. *Howorth.*

41. Where do you get the first Table from?—Some one will give evidence as to that; it is laid before me as part of the case. The third Table is taken from the "Pioneer," simply giving the market rates, which is not a matter of any great consequence.

Chairman.

42. Now, will you go back to the part of the Case from which you diverged. You were speaking of the change which was made in 1862?—Yes; in 1862 (as the case shows) a despatch was issued which raised the exchange question. Application had been made by a number of officers (so the despatch says) to be enabled to draw their pensions in England. In alluding to that the Secretary of State called attention to the fact that the question of exchange was an important one. I perhaps may call the attention of honourable Members to the exact words of the Secretary of State.

43. They are quoted on page 25, are they not, of your Case?—Yes; they are contained on page 25. "These pensions have hitherto been payable only in India. As a rule Europeans on being pensioned desire to return to this country, and they are consequently under the necessity of employing an agent in India to receive and remit their pensions. If the pensions were allowed to be paid in England, the delay, risk, and inconvenience of agency, would be saved, while the charge to Government would be very inconsiderable. Her Majesty's Government have therefore decided that an uncovenanted servant shall on retirement have the option of drawing his pension either in India or from the Home Treasury. After exercising his option on retirement, he may at a subsequent period change the place of payment from England to India, or *vice versâ.* This change can, however, be allowed but once. The rate of exchange is an important consideration in regard to payment in England. Her Majesty's Government will not now fix any permanent rate for the purpose; but as a rate of exchange based on the intrinsic value of the rupee, and the market price of Bills is annually fixed in communication with the Lords of the Treasury, for the adjustment of transactions between the British and Indian Exchequers, which rate is applied to family remittances of officers serving in India, the same rate appears to be equitable for the payment in England of the pensions of uncovenanted servants, and is, therefore, to be adopted." The Committee will notice the terms in which these two clauses are couched. Up to 1862, it is contended by the service that there never was any question of exchange, that it was the regular rule of the company and that it was the custom, and rule, and usage of the Government of India in all settlements for pensions with their uncovenanted officers to give them 2 *s.* to the rupee, or to settle at the rate of 10 rupees to the pound sterling, and that is shown through a variety of documents of which specimens will be laid before the Committee: First of all by despatches and resolutions, by the very covenants which men received from the Company, and, second, by that general argument which shows that in Acts of Parliament and by the usage (which was established usage as far as the Company was concerned down to 1858) all these pensions were reckoned at the rate of 2 *s.* to the rupee. Then in 1862, the Secretary of State introduced some new rules; and he in the middle of his Despatch, in Clause 10, takes up this question of the application for payment of pensions in England, and he says: "The rate of exchange is an important consideration." I want, if I may be allowed, to call the attention of the Committee to the fact that the rate of exchange previously to 1862 as shown in those documents was a high rate of exchange. It will be observed that the market rate as given in Table 1, on page 73, showed that the rupee was repeatedly at a premium from 1850. It is not necessary for the sake of the argument to show that it was always at a premium, or to refer to the average rate. The mere fact that it was at a high premium is important, and it was at a premium in 1862 and 1863. Therefore, in endeavouring to arrive at what was in the mind of the Secretary of State when he said the "rate of exchange is an important consideration," the inference is that he meant to say that it was a very important consideration that the Government should not be bound to pay in rupees which were at a premium, and that the real meaning of those two clauses was this: that the Secretary of State never conceiving for a moment that the rupee was likely to go down to 1 *s.* 4½ *d.* was anxious to protect the Government against the rupee going up to 2 *s.* 6 *d.* That is the contention. Of course, we cannot call it evidence, but it will be noticed on looking at a Table which is published in "The Pioneer,"

Chairman—continued.

Pioneer," which was taken from the published commercial newspapers of the day in India, that the rate of exchange in 1853–54 was over par. In 1855–56 it was 24·125; in 1856–57 it was 24·625; 1857–58, 25·125. It shows that the rupee had been repeatedly at a premium before that time.

44. And then? — Then the second point to be noted in those two paragraphs is another intention which appears to have been in the mind of the Secretary of State, that is, that he said, "The rate appears to be equitable." That is in paragraph 11. He says he selects the rate because that appears to be equitable for the payment in England of the pensions of uncovenanted servants; and it is inconceivable that in making that statement he should have contemplated anything like a heavy fall in the rupee.

45. Is there anything else to which you wish to call the attention of the Committee as regards the history of the Case?—We come down to 1862, and the contention is, that down to 1862 there was no exchange question. Then the contention is, as is just shown, that it was not intended to raise an exchange question of the kind which has since arisen by the Despatch of 1862. Then there are a series of Despatches and of Resolutions of the Secretary of State between 1862 and 1870, in which, wherever reference is made to the subject, rupees and pounds sterling appear to be used indiscriminately, that is to say, state the rate at 10 rupees to the pound sterling. Then there is that important Resolution of the Government of India, 1555, of 1870, which summarises the previous Despatches with regard to pension rules, and in which the statements are made again in rupees and in sterling, at the rate of 10 rupees to the pound sterling. After that, in 1872, the fall in the rupee began; and then, of course, the Government began to apply these rules (this rule especially, with regard to the exchange) which had been made by Sir Charles Wood in the Despatch of 1862. But a very important point in connection with, and with regard to, the intention of the Government throughout, is raised by the fact that down to 1884 in the Codes of the Financial Department, a note was appended to the publication of the Despatch No. 1555, of 1870, in which it was stated (I think I had better read the note and not quote it from memory) practically that the rupee was to be taken at 2 *s.* That note is found on page 124 of the sixth edition of the Pension Code. It states: "Wherever, in the following Resolution, a pension is stated in sterling, the equivalent in rupees is meant at 2 *s.* the rupee, which had been at that time, for several years, the fixed rate of exchange for the adjustment of financial transactions between the Imperial and Indian Governments." That was published in the first edition of the Code of 1872, and it was continued down to the sixth edition of the Code of 1884. I may mention here in correction of a statement in the case, that it also appears in the latest edition of the Code; there is a statement on page 27 that it was struck out of the last edition of the Code. That is not correct. The contention of the Government is that that Resolution simply means that wherever

Chairman—continued.

they have to pay 1 *l.* it is enough for them to tender 10 rupees, and that it was not meant to apply the other way; but that, of course, is not a matter upon which I am entitled to give any opinion. The clause is that whenever a pension is stated in sterling the equivalent is meant in rupees at 2 *s.* the rupee. It is contended that it does not mean that when the pension is stated in rupees the equivalent shall be taken in the same way in sterling; but the contention of the service is that any man who read that would take it that if his pension was stated at 5,000 rupees it was undoubtedly meant by the Government to give him 500 *l.* sterling for it, and secure it to him. That is the contention. That will be found quoted in the case.

46. I may just ask you a question upon that one point. Is it not a fact that for many years up to 1872 the formula, "pound sterling," was used in the Budget statements in the House of Commons, and generally in all statements about Indian finance, as equivalent to 10 rupees?—I cannot give evidence as to that; I believe it is so.

47. And for many years after the depreciation of the rupee, the expression "conventional sterling," was used, and the pound "Conventional Sterling," as they called it, was spoken of as equivalent to 10 rupees; and it was only very recently that the new formula of writing "R" with an "x" after it as expressing the 10 rupees equivalent was adopted?—Quite so; I believe that was so.

48. After the depreciation had become so marked and so fixed and constant, the use of pound sterling as the equivalent to 10 rupees could not have mislead anyone?—I will not give evidence as to it, but I will accept it as a fact from so distinguished an authority.

49. Now you come to 1872?—I have come now to 1872, as showing that that note was introduced and that it was continued down at least to the sixth edition of 1884. I have said that the last edition of the Code publishes the Resolution and continues the note. It was stated by the Under-Secretary of State for India in the House of Commons, that that note had no official authority. I think he suggested that it had been inserted by some clerk in the Accountant-General's Department, who appears to have perhaps had nothing better to do at the moment. The point about it is that it has been continued in all the official editions of the Code, and the men contend that that has given it an official authority. Then of course the period comes when the rupee declined, and the men began to find that they were being docked of large sums, by being paid their pensions here at the official rates of exchange, and it was from that point that the discontent in the service, both on the part of those who had retired and those who were thinking of and hoping to retire, naturally began. The Committee are aware that pensions which nominally were believed to be worth 500 *l.* 20 years ago, are now actually worth a little more than 350 *l.*, and the contention, I understand, of the service is that they are only forced to accept those terms by means of a series of Resolutions and Acts

Chairman—continued.

which really were unfair on the part of the Government of India, and which will not bear inspection by a Committee.

50. Is that all that you have to say about the question of the depreciation of the rupee?—What I should like to do would be to call attention to one or two points which will add to the force of what has been already said, if it has any force.

51. Very well; do so, please?—It will be noted that in 1868, which is after the Despatch of 1862, a correspondence took place upon the position and the status of the educational services in India. That correspondence was issued in a book to Parliament, on the 1st August 1872 ("East India Educational Service"), and it is to be noted that in the Despatch, No. 5, of 1868 on Education, paragraph 5, page 4, there is a table of comparison of pensions. This was sent home to the Secretary of State for India, from Fort William, on the 11th April 1868, and in that comparative table the pensions are stated in this way: there is a table of the former rule and the present rule; and it is stated, "15 years' service, including two years' leave on medical certificate, and one year's leave on private affairs, within a maximum of 500 *l.* a year"; that is put in pounds sterling. "For salaries exceeding 1,000 rupees a month, or 400 *l.* a year for lower salaries." It will be observed that the pension maxima are stated there in sterling, while the salaries are stated in rupees. Then it says, present rule, 12 years' service, exclusive of leave within the maximum of 300 *l.* a year, for salaries above 1,000 rupees a month, or of 200 *l.* a year for lower salaries; and the same is repeated lower down with regard to half-pay pension. I only allude to that as it shows what the current idea at the time was after 1868, which is six years after 1862, when the exchange question is raised in the Despatch of Sir Charles Wood. It shows what the notion was in the mind of the Government of India with regard to the true value of the maxima which were then current; the maximum pensions. Then there is another point which is raised on page 24, which perhaps I might be allowed to refer to. That is with regard to a comparison of the manner in which the covenanted and uncovenanted service is treated in the payment of their pensions. All uncovenanted officers retired after 21 years' active service on a pension of 1,000 sterling, paid in sterling in London, and honourable Members will notice that the history of that is traced in this case. If they turn to pages 16 to 20 they will find how it was that the covenanted service got into this position. It appears that originally the arrangement between the civilians and the Government of India was that there should be a contribution. Annuity funds were established and half the amount of the retiring allowance was paid out of these annuity funds, while the other half was contributed by the Government of India; that is to say, 500 *l.* from the annuities and 500 *l.* from the Government of India. The history is traced in the case, and briefly it comes to this: that later on it was found, first of all, that the annuity funds were not producing as much as was expected and were not in a very healthy position. The Government of India had to contribute more and more as its share to the annuity of 1,000 *l.* It was stated in a Despatch (I think of 1868, but I can refer to it in a moment) that the Government were contributing 600 *l.* sterling per annum to that annuity, and it is understood that the amount which they now contribute (Papers have been prepared as to that, and will be presented to the Committee) to the annuity of a covenanted servant is very nearly 700 *l.* a year. They were placed upon the footing of having their pensions paid in pounds sterling in England, and that was recognised by an Act of Parliament by which the various annuity funds were taken over from the trustees to the Government of India, and I believe, in point of fact, that that is the statutory recognition upon which the covenanted servant is able at this moment to rely for having his pension paid in sterling, and that possibly if the annuities had never been taken over the covenanted servant would have been subject to the same rules as the uncovenanted at this moment. As long as the company had to deal with the service they placed all payments to the covenanted, to the military, and the uncovenanted service upon the same basis.

52. If you have quite exhausted the evidence which you wish to give upon that first point, I will take you on to the second?—I do not think I can do more than ask the Committee to allow me to put in that part of the argument here which refers to the subject, from page 23 onwards.

53. Now let us go on then to the second point in your Case. Your second point is practically a complaint against the clauses of the Civil Service Pension Code, which reserve to the Secretary of State the right of altering, with retrospective effect, the conditions laid down in the Code?—Yes, perhaps it will be convenient, before we go on to that, for me to point out this: On page 31 mention is made of the manner in which the exchange question is treated by other Governments. I may mention that we have obtained from the Colonial Office a statement of the manner in which the exchange question has been settled in Mauritius and Ceylon and Hong Kong and the Straits Settlements. I have it here.

54. Have you also any information from the Colonial Office as to the conditions under which the civil servants in those colonies enter the service and how far that corresponds with the conditions under which the uncovenanted servants of India enter the service?—I have here the printed statements issued from the Colonial Office for the Ceylon cadetships and the others, Hong Kong and the Straits Settlements; they show what the conditions of the service are.

55. I do not want to exclude any evidence, but has this any real bearing upon the question. Will it really assist the Committee?—It simply shows the Committee what the views of other Governments are as to the manner in which the exchange question is treated.

56. It only shows the Committee what the view of our own Government is in relation to other

Chairman—continued.

other public servants?—To other public servants, or rather to the men who are performing service under the same conditions when the same question has arisen.

57. I cannot see that this has great bearing upon the present inquiry. Take the case of Ceylon. In order to show that the arrangements now made with the civil servants of Ceylon ought to be models for the Government of India, it would be necessary to show that persons entered the Colonial Service under analogous circumstances to those under which the uncovenanted servants entered the Indian Service?—The only question is this; for instance, take the Ceylon cadetships, take the Ceylon Civil Service, it is performed under similar conditions to those of the civil servants in India. The exchange question did not arise until a certain date, and then it had to be dealt with; and the question is simply, apart from all Regulations, how did these Governments deal with a question of that kind? Whatever Despatches and Regulations may have settled, whatever they did, the suggestion of the service, I understand, is that those things are pertinent, as showing that other colonies have dealt more liberally with their servants under instructions from the Colonial Office than the Government of India has done with its servants, under instructions from the Secretary of State.

58. Unless the conditions under which the Ceylon civil servants are serving are analogous to those under which the uncovenanted civil servants of India are serving, the analogy does not hold?—I have in my hand an official Paper issued with regard to Ceylon cadetships, and if I take the Committee through that it may enable them the better to judge: "The cadets, who must be natural-born British subjects, are selected by open competitive examination held by the Civil Service Commissioners, to whom all inquiries on the subject should be addressed. The examinations for these appointments will, as a rule, be held in the month of August. (2.) The selected candidates will be expected to leave for the colony during the month of October following the examination. (3.) The salary of a cadet commences at the rate of 3,000 rupees a year. A free passage is granted, and half salary is allowed from the date of embarkation, and full salary from that of arrival in the colony. A bond must be entered into by each cadet, and two approved sureties, with the Crown agents for the colonies, to secure that, in case of his dismissal, or in case he shall within four years from the date of his arrival in Ceylon, either quit the colony without leave, or relinquish his appointment (exaept on account of ill-health), he shall, if required by the Governor, repay to the colony the cost of his passage out. The subjoined Minute contains the rules at present in force respecting the employment of cadets. They are, of course, alterable from time to time by the Government. (4.) In order to facilitate the study of the native languages, all cadets will, from the date of their being placed on the permanent staff, receive a pundit allowance of 30 rupees a month during 21 months. Such allowance will be drawn by the cadet only on his certificate that the teacher has been actually and *bonâ fide* employed. During these 21 months of study, cadets will be attached to one of the public offices, which they will be required to attend for a certain time each day, as may be directed by the Governor, in order to give them an opportunity of learning the details of public business, without interfering with their reading. (5.) The civil servants are paid as follows: Passed cadets at the rate of 3,500 rupees per annum; officers in the 5th class at the rate of 4,000 rupees per annum; officers in the 4th class at the rate of 4,500 rupees per annum; officers in the 3rd class at the rate of 7,200 rupees per annum; officers in the 2nd class at the rate of 9,600 rupees per annum; officers in the 1st class at the rate of from 12,000 rupees to 18,000 rupees per annum. (6.) Subject to the necessities of the service, leave of absence on half salary may be granted to members of the permanent Government service after a period of six years' resident service in the colony, without any special grounds. It may be given before the expiration of that period in cases of serious indisposition or of urgent private affairs. In the absence of special grounds, the leave in such case must not exceed one-sixth of the officer's resident service; on special grounds it may exceed that period by six months. In addition to the above, vacation leave on full pay may be granted, if no inconvenience or expense is caused thereby, not exceeding three months in any two years. (7.) The present rule as to superannuation is that in the case of ill-health an officer may be allowed to retire on a pension after ten full years' resident service; otherwise he must have attained the age of 55." That is analogous certainly, as far as that is concerned, to the rules of the service in India. Then they get better terms, "For 10 full years' resident service, fifteen-sixtieths of the average annual salary of the retiring officer's fixed appointments for the three years prior to retirement, may be awarded, to which one-sixtieth may be added for each additional year's service; but no addition will be made in respect of any service beyond 35 years." I have simply read that to show what are the general terms of service, and I may say that the Straits Settlements and Hong Kong cadetships are placed practically on the same footing. But of course that is only a point which leads up to what was the main object of the reference. I will put this in, if I may (*the document was handed in*). This was to lead up to the question of the manner in which the exchange question had been dealt with in the colonies. This is a letter which I will put in, addressed to the secretary of the Indian Uncovenanted Civil Service Association, from Downing-street, from the Colonial Office, dated the 25th March 1890: "Sir,—In reply to your letter of the 20th instant, I am directed by Lord Knutsford to transmit to you copies of two Minutes of the Ceylon Government, as noted in the margin, from which you will see that at present the rate of exchange for salaries on leave and pensions in this country, is 1 *s.* 10½ *d.* to the rupee, in the case of all officers in the Ceylon service, except those who were appointed before the Ceylon Currency Order

Chairman—continued.

Order in Council of 1869 came into force, and who did not receive a 20 per cent. increase to their salaries in 1875, these latter being entitled to the rate of 2 *s.* to the rupee. Although no change has recently been made in the rate for drawing salaries and pensions in England, his Lordship does not wish to be understood as committing himself to any opinion as to whether the present arrangement is not open to criticism from the point of view of the Ceylon taxpayer."

59. Those conditions of service you have put in are of the date of 1888, are they not?—I assume those are the ones that were sent in 1890. Those are the ones enclosed in that letter.

60. They are not the conditions upon which those officers who, you say, have been so favourably treated by the Colonial Office entered the service?—That is perfectly true, and ought to be noted.

Mr. *Barbour.*

61. I suppose we must not take it from that letter, that 1 *s.* 10½ *d.* is the fixed price at which the rupee is sent into this country?—No; I understand what is meant is that in paying the pensions of Europeans who have served in Ceylon and these other places in this country (we are referring to Ceylon particularly), the rate is settled at 1 *s.* 10½ *d.* to the rupee; supposing that a man retired upon a pension of 5,000 rupees, he would only get 5,000 1 *s.* 10½ *d.* paid to him in England.

62. Because the exchange is at about that price?—No; the exchange is very much lower. It is, in fact, 1 *s.* 4½ *d.*, or something like that.

63. In Ceylon?—I do not know as to to-day. It may be 1 *s.* 6 *d.*

Chairman.

64. It is 1 *s.* 6½ *d.*, is it not?—The object undoubtedly of this Minute of the Council which I am going to read was to protect the civil servants from a certain amount of the loss which they would incur by the fall in the rupee.

65. I think Lord Knutsford in the letter you read expressly reserved his right to make alterations?—No, he only reserves his opinion; he does not say there will be any change. The latter says, "Although no change has recently been made in the rate for drawing salaries and pensions in England, his Lordship does not wish to be understood as committing himself to any opinion as to whether the present arrangement is not open to criticism from the point of view of the Ceylon taxpayer." The Minutes by the Governor (when he had to deal with this question of exchange) were furnished with that letter, "Under instructions from the Right Honourable the Secretary of State, His Excellency the Governor has been pleased to direct that the rate at which half salaries and pensions will be paid by the Crown Agents to officers appointed to the service since the Order in Council of 1869 came into force, will be at the rate of 1 *s.* 10½ *d.* to the rupee." It is stated

Chairman—continued.

in a note: "The privilege of receiving half salaries and pensions in England at 2 *s.* the rupee has been withdrawn in the case of the 1st, 2nd, and 3rd classes of the Civil Service, and other officers whose salaries have been increased." Then the Minute proceeds: "With regard to officers whose service counts from periods prior to the date at which the Order in Council came into force and who may hereafter be promoted to other offices with higher salaries in the colony, the Secretary of State is willing to admit their claims to be paid at the higher rate which they have hitherto received; and in the calculation of their half salaries and pensions payable in England, such an addition will be made to the number of rupees to which the officer would be entitled in the colony, as will, when converted into pounds sterling at 1 *s.* 10½ *d.* per rupee, secure to the recipient in England a sum equal to that which he would have received under the arrangements which existed when he entered the service." That is a point which may be emphasized, that was the object, that the rule should not be retrospective, but that the arrangement existing at the time when he entered the service should be enforced. I hand that in. (*The document was handed in.*)

Mr. *Buchanan*

66. What is the date of that?—Colombo, 19th August 1873. Then there is another Minute, dated the 29th January 1883: "To obviate any possible misunderstanding it is hereby notified, for the information of those whom it may concern, that officers who received an increase of 20 per cent. to their salaries in 1875 are and will be entitled to draw pay in England when on leave, and pension in England on retirement, at the rate of 1 *s.* 10½ *d.* to the rupee, and at no higher rate; but such pay and pension will be calculated upon the increased salary." That of course is a subsidiary point which does not concern us here.

Mr. *Barbour.*

67. Is that 1 *s.* 10½ *d.* the rate still paid in Ceylon?—Yes, that is the rate at which salaries continue to be paid to-day, and will, I presume, continue until the taxpayer of Ceylon takes the objection which Lord Knutsford suggests. Then I may state with regard to the Mauritius that there also the question came up; a question of the settlement of the rates of exchange. On the Mauritius Legislative Council it must be remembered that the majority are non-official members, and to a large extent anti-English; but in 1887 they decided, with regard to all officers appointed after the 1st January, that the rate for half salary was to be the market rate; but as to all officers appointed previously to that they held themselves bound to pay at 2 *s.* to the rupee.

Chairman.

68. Now we will revert to the second point in the Case; the "retrospective" clause of the Civil Pension

Chairman—continued.

Pension Code; have you any facts which you think ought to be brought to the notice of the Committee in condemnation of such a rule as that?—In the first place, in point of fact, the Committee will notice that the rule is an India Office rule, that it was not a rule of the East India Company. It is challenged on that ground, that certainly down to 1858 no such rule was heard of, that the Directors reserved the right to make new rules, giving them a retrospective operation. That is the first point. Then there is the argument of inference from the actual way in which the Court of Directors treated the question, and in what terms they issued their rules. Perhaps that brings up conveniently the whole discussion of the rules from 1831, down. The Committee will find in the Pension Codes, which are supplied from the India Office, that the Pension Rules of 1831, which were the first that related to the uncovenanted civil service, are given. Those rules, as stated in the case, it is known historically, were designed to be applied chiefly to the Asiatics (to the natives), who then formed the uncovenanted service, and were not originally meant to be applied to Europeans. The Committee will remark that under those rules there was no period fixed originally at which a civil servant was to retire. He was to serve until he was medically incapacitated for further duty, in order to obtain a pension; and it was fixed that if he had been "more than 20 years, but less than 30 years, in the service, the amount of pension shall not exceed one-third of the monthly salary, or authorised official allowance of such individual, calculated on an average of five years previously to the date of application for such pension." And second, "if the period of actual service shall have been 30 years or upwards, the amount of the pension shall not exceed one half of the salary or authorised allowance of the individual, calculated in manner above stated." Therefore, those rules gave a man who had served sufficiently long to have been retired on medical certificate, after 30 years' service, half his salary for five years previously as a pension. It is admitted that that applied, and was intended to apply, originally only to the case of natives who were drawing small salaries, and a point is made of that, in fact, in the arguments which passed between the Government of India and the Secretary of State from 1862 (in the correspondence) to 1864. We shall come to that later on. The next thing was that Despatches passed between the Court of Directors and the Government of India in relation to the superannuation allowance of various Europeans, who between 1831 and 1853 had been gradually drafted into the service. The Committee will observe that in the case on page 32 it is stated that a large number of such men had been drafted into the service. There was a Despatch of the 28th February 1855. It appears that there were then in the service of the Indian Government men with appointments of 1,000 *l.* to 2,400 *l.* per annum who were uncovenanted civil servants. That is stated in paragraph 3 of that Despatch, and it appears from the Despatch of the Court of Directors dated 20th July 1853, paragraph 5, that a letter from the Government of India dated 30th May 1848 showed the total

Chairman—continued.

number of uncovenanted educational officers alone was 559 persons, to whom the privilege of the Rules of 1831 was extended in 1853. It is important to recall that fact with reference to the argument which will be presently made from the Despatch of 1862. It is perfectly clear that before the Court of Directors adopted what I am about to call the attention of the Committee to, that is to say, the pension and other Rules of 1855 they had distinctly before them the fact that the uncovenanted service already contained a large number of Europeans who were drawing high salaries. Then in 1854, the Court of Directors sent a Despatch to India, which to some extent modified the Pension Rules of 1831; and it is very important to notice the extent of that modification. The Pension Rules of 1831 gave a half-salary pension on retirement on being physically incapacitated. Then the Court of Directors, on the 5th May 1854, laid down this rule: "We authorise you to grant to any uncovenanted servant, belonging to a class recognised by the present rules" (which included of course, Europeans in the uncovenanted service), "who, though not possessed of medical certificate of incapacity, map be permitted to retire from the service, and who can produce unquestionable testimonials of a faithful efficient discharge of his duties during a period of 35 years, a pension equal to half the average salary, which he may have received during the last five years of his service. These pensions are to be regarded as rewards of good service; they will not in any case be claimable as of right, and every pension which you may see sufficient reason to grant must be reported to us, with a statement of the grounds of your proceeding." Now, I would submit to the Committee, that that was a rule which was intended to enlarge to the service the benefits of the Pension Rules of 1831, and, in this respect, that whereas before, a man could not be retired, unless he could produce a medical certificate of incapacity, it was intended that if it could be shown that it was feasible to retire a man after he had served 35 years, he should be entitled to exactly the same privileges as those which had preciously been accorded to men retired under a certificate of medical incapacity. Then it went on to say, with regard to these pensions, and it is most important to notice this clause, because a great part of the argument of the service turns upon it—"These pensions are to be regarded as the rewards of good service." What pensions? The pensions referred to in this clause; that is to say, those pensions which were granted after 35 years' service, and which were pensions in a certain sense excepted from the kind of pensions which were the the general pensions of the Uncovenanted Civil Service, as laid down under the Rules of 1831. It goes on to say that "they will not in any case be claimable as of right;" and then they go on to say that "every pension which you may see sufficient reason to grant, must be reported to us." Now, with regard to that expression; "they will, not in any case, be claimable as of right." I may call the attention of honourable Members to a statement which shows what was intended by the Company to be the meaning of that clause.

Chairman—continued.

69. Do you say these "retrospective" clauses are so interpreted by the Secretary of State for India as to give him the right to change by new rules the covenants and conditions under which officers entered the service?—Unquestionably. I hold that that has been actually done. It was done in 1862–64.

70. That is to say, the position of the uncovenanted civil servant of India is this: that although he has made a covenant and bargain with the Secretary of State, yet the Secretary of State has power under this rule of the Civil Service Pension Code to set aside the whole bargain that he has made, and to make a new bargain at any period of his service?—Precisely; that is claimed under the code.

71. Has such an interpretation ever been put upon it by the Secretary of State, or has such an interpretation ever been acted upon?—I think many cases in which that has actually been done will be brought before the Committee by members of the service. Of course, I cannot give evidence upon that point myself. But I may say, from reading the Despatches, and as will be seen by the argument which is contained in this case, the Secretary of State has assumed that power, and has exercised it.

72. I should myself understand the rule in the Civil Service Pension Code merely to give the Secretary of State power to make rules and regulations within the conditions and contracts under which Civil servants have entered his service, and I should say that any rule or regulation made by him which had the effect or would apparently have the effect of making an alteration in the conditions of service, would be *ultra vires?*—I shall proceed to show at all events what the Government itself has stated; that is to say, what the Secretary of State has himself claimed the right to do in the Despatch of 1862.

73. There is no pretence on the part of the Secretary of State that if, under a man's covenant and contract he is entitled to a certain pension or certain terms, he can be deprived of that right by a rule made under Section 2 of the Civil Service Pension Code?—I do not know what the mind of the Secretary of State is; I can only deal with the fact that is stated here that the Government reserves to itself the right to change the rules at its discretion, and to interpret their meaning. Then I find that the Government carefully guards itself (has done so during a long series of years) by its covenant with these men by saying they are to have applied to them the rules in force at the time they leave the service; the pension rules, for instance, in force at the time they leave the service. So that if the two things are taken in conjunction, if a man has covenanted he appears to have no rights, and if a man has no covenant the whole course of Resolutions and Despatches show that the Government has treated him as if he had not any. Of course I cannot pronounce an opinion as to the way in which this is carried out by the Secretary of State. I can only produce the fact that that is the rule.

Mr. *Howorth.*

74. Is it a fact that in each one of those agreements made with the covenanted civil servant, one term is that he shall be bound by such rules as are in force at the time he resigns rather than by the rules which were in force at the time he enters the service?—That is so; and I say that because I have the covenant here. That is so; and he has been for many years.

75. That is one of the terms of the arrangement, is it?—Yes, it will be seen directly that in the old covenants of the Company it was different. There is no question that under most of the Company's covenants, down to, for instance, I think, as late as 1856 the Company did give the men the right to the rules which were in force at the time he joined the service, and that they meant to do so; but that is a point I shall come to later.

Chairman.

76. You are attacking a contention which the Secretary of State does not set up?—But if in fact it is put in execution by the Government of India, that is the whole question of course for the Committee.

77. If you could adduce a case in which a civil servant, having rights under his covenant or contract with the Secretary of State, had been deprived of those rights by an *ex post facto* rule under these clauses, that would be a case in point?—I have no doubt that there are such cases.

78. It would be better if you would submit to the Committee some case, such as that which I have described, because that would undoubtedly furnish reasons for some alteration or interpretation of the rule?—Of course I am entirely in the hands of the Committee; but in the first place the men object to the rules that now exist, and they object to them on the ground that it was unfair, that the Secretary of State has exercised his assumed privilege under that Section of the Code to alter the rules and give them retrospective effect. That is a more general grievance than the mere grievance of an individual. I can give grievances I think of that kind, but that is not the point. The point is that the whole service complains.

79. What I understand the rule to mean is this: that the Secretary of State is at liberty to vary from time to time the technical rules under which an officer draws his pension. Suppose, for example, there is a rule requiring a certain certificate of his being alive to be furnished at the time when the pension is drawn; it is open to the Secretary of State, under these clauses, to alter the nature of the certificate required; the formalities of it; the period at which it is to be supplied, the frequency with which it is to be supplied, and so on. Those would be all rules which he could alter, and which the officer would have to conform to. But if it had been, for instance, a condition of the covenant that his pension should be paid in sterling in London, the Secretary of State could not, under these clauses make a rule that his pension should be paid in rupees in Calcutta?—The distinction, if you will permit

Chairman—continued.

mit me to remark, is that all the men have not covenants, therefore it would not do to keep the case down simply to the men who have written covenants, because those only form a very small proportion of the men whose grievances are before the Committee to-day. I do not know the exact number of men with covenants, perhaps no one does know, but at all events it is a very small proportion relatively of the service. What the service complains of is that this rule is so applied that from time to time the Government arbitrarily changes the pension and leave rules and apply them retrospectively to men who have already, as they contend, earned their rights under former rules. That is the general principle to which this evidence is being directed, and my part of the business is only to show that that is so, as shown to be a fact on the face of the Resolutions themselves and the Despatches.

80. All that you need do, I think, is to give evidence that alteration such as I have specified, has been enforced?—Precisely. I do not know that I have done otherwise; I think I have not done otherwise. The point to which I was directing your attention was (this is part of the very case with regard to which you have now asked me for evidence), that under the Rule of 1855, which modified the Rules of 1831, there was a statement made that the privilege of the new rule should not be claimable as of right; and it will be found on examination of the Clause that that applies simply and solely, and was only intended to apply by the East India Company, to the case of those men who came under the operation of that clause, and was not intended to have a general application to all the pensions under the Rules of 1831. I think if you look at the clause you will see that that is the only possible construction of it; that when they used that expression, "they will not in any case be claimable as of right," what they meant was this, that the man who was retired at the end of 35 years, not having produced a certificate of physical incapacity, should not have the right of claiming his half-salary pension.

81. Had the man ever the right to claim this half-salary pension? Was not the half-salary the maximum beyond which the Government had not the power to go?—Precisely. I mean whatever pension was fixed by the Rules of 1831; this was a modification of the Rules of 1831. It was only with regard to the men who came under that modification that the Court of Directors used that phrase, "they will not in any case be claimable as of right." It is important to note that, because it will be seen directly in the arguments in the Despatch of 1862 that that is applied generally to the case of all pensions.

82. Have you anything further to say upon this second point?—The contention, of course, of the men is that the Despatch of 1862 and the Rules of 1863–64 practically did deprive men who had already acquired rights under the company, and previously to the Act of 1858, of their rights, and had done so arbitrarily. Perhaps I may be allowed, with regard to that, to put in (as it was presented to the India Office) the case of the men who entered the service before 1858 under the company. They drew up the Memorial of 1888 to the Secretary of State for India, of which memorial I have a copy here. It will be observed that the contention of those gentlemen was that they were entitled to the benefit of the Rules of 1831 and of 1855. The Rule of the Court of Directors of 1855 was this; that as regarded men who had entered the service previously to the date when the Resolution was published in India, they were left under the Rules of 1831, but that, as regards all men who were retired after that day, the maxima of pensions were fixed at 500 *l.* I perhaps had better read the exact terms of that Resolution, because a good deal turns upon it: "On 19th May 1855 the Government of India published a Despatch of the Court of Directors which limited pensions for uncovenanted servants appointed after that day to 500 *l.* a year if their pay exceeded 1,000 rupees a month, or to 400 *l.* a year if their pay ranged from 700 rupees to 1,000 rupees a month. This limitation applied alike to the one-third pay pension and to the half-pay pension." Now in the quotation which will be found in the Case the Court of Directors, it will be observed, recognised that the general rule was that the maximum pensions should be granted. That is the suggestion made by the service, that that recognition in the general rule was that the maximum pension should be granted, and that the granting of a lesser pension in certain individual instances was a rare exception, due possibly to incompetence or faults on the part of the officer. That is simply a statement of inference from the rules and regulations of the directors. That is stated on page 50 of the case. Now this case of the men who joined the service previously to 1858 was stated in a memorial to Lord Cross, and they based their case first of all on the terms of the rules of the East India Company, and secondly, upon the reservations of their rights under the Sections 57 and 58 of the Government of India Act. They submitted that they were entitled to the favourable pension rules of the late East India Company, because they had all been in the service of the East India Company, and, subject to the company's rules and regulations at the time of the transfer of the Government of India to Her Majesty the Queen.

83. Is not your contention this: Before 1858 an Uncovenanted Civil Servant in the service of the East India Company, might have a pension awarded to him of which the maximum was half his salary?—Precisely.

84. Do not they now contend that every man who was in the service prior to 1858 was entitled, if he behaved himself well, upon his retirement, to this pension of half his salary?—Yes.

85. And do not they further say that if a man was in the service prior to 1858, at however small a salary, he is now entitled, no matter to what height in the service he may have risen (if he becomes a judge of the High Court, for instance, to half his salary when he retires?—

That,

Chairman—continued.

That, I assume, is putting an extravagant case; all they say is that they entered the service under certain rules, that the practice (and that is admitted by a Despatch of the Secretary of State, it is admitted in one of Sir Charles Wood's Despatches, I think it is his, of 1862) had been, in the case of the East India Company, to grant the maximum salary. In fact, repeatedly it is admitted in several cases, which are mentioned in this case, that they did in point of fact grant them to the men who had done good service, not extraordinary service, but who had simply worked out their service in a workmanlike way. These men therefore say, "There was nothing against us;" that is to say, these men whose memorial I am now bringing forward say, there was nothing whatever against us; on the contrary our services were accredited as good by the Government of India itself; nevertheless when we retired, having entered before 1855, at the end of our 35 years' or 30 years' service, we were told, "You come under the pension rules of 1863-64," and in fact those rules were applied to them. They sent in a memorial which I will put in, and the answer which was made by a high official at the India Office shows the ground which was taken in reference to that appeal: "With reference to the memorial dated the 15th May 1888, signed by the late Mr. W. Clark, yourself, and other retired members of the Indian Uncovenanted Service who entered under the pension rules of 1831, I am directed by the Secretary of State for India in Council to inform you that he has now received from the Government of India the enlarged memorial dated the 31st of October last, which he has carefully considered. In the 12th paragraph of the memorial a quotation is given from the Despatch of the Court of Directors, dated the 5th of May 1854, No. 18, from which it is clear that the pension, equal to half the average salary which the Government were authorised to grant after 35 years' service without medical certificate, was not in any case to be claimable as of right, and according to the final words of the Despatch, every pension which that Government might see reason to grant was to be reported to the court, with a statement of the grounds upon which it was granted. It was subsequently laid down in the Despatch of 28th February 1865, that in no case should a larger pension be granted under the rules than 400 *l.* a year to uncovenanted servants receiving salaries not exceeding 1,000 rupees a month, or than 500 *l.* a year to those whose salaries were in excess of that sum. But it still remained open to the Government of India, in regard to officers who entered the service before the 19th of May 1855, the date of the general order issued on the receipt of that Despatch, to recommend the grant of a pension exceeding those limits in cases where they considered that the services of the officer had been of such extraordinary merit as to justify a higher pension, and in certain cases this course has been followed." This is a clear case of *ex post facto* repudiation of the Rules of 1831.

86. Is that not rather a matter of argument than a matter of evidence?—If so, I withdraw it.

87. I understand these gentlemen claim not only a limit of half their salary which they were receiving in 1858, but they say that to whatever height in the service they rise, or whatever salaries they subsequently receive, they have an indefeasible right when they retire to half their salary whatever it may then be; is not that the case?—They claim simply to have the privilege which is asserted in the Superannuation Acts in England, that a servant who enters under certain rules is to go out of the service with the benefit of those rules, unless he accepts some other compensation. I understand that is the case put forward by the men.

88. Do you contend that when a man has a right under the rules to a maximum pension of a certain amount, if you give him anything under that maximum pension, you are abrogating this right?—I do not think it is put in that way. It is hardly fair to put it in that way, with submission. What I understand is this; that when a rule lays down that if a man performs good service he shall be entitled to a maximum pension, it is certainly a repudiation of that contract to say that he is to perform a service of extraordinary merit in order to get it.

89. Is there a rule, or was there any rule in existence prior to 1855 or 1858, or whatever the date is that you take, saying that if a man should render good service, he will be entitled to the maximum pension?— Unquestionably the rule itself says so, which I have just read.

90. Where?—It is on page 122 of the Code, of the sixth edition, the 1884 edition.

Sir *William Plowden.*

91. Is not this on page 36 of the Case?—I am taking it from the Case. First of all, the statement upon page 36 of the case is this; "These pensions are to be regarded as the rewards of good service. They will not in any case be claimable as of right, and every pension which you may see sufficient reason to grant must be reported to us with a statement of the grounds of your proceeding." It must be particularly observed that this refers only to men who do not retire under a medical certificate of incapacity, and who retire after 35 years' service. Now the contention of the service is, not that that is a solemn acknowledgment to pay the maximum to any man who retires at the end of 35 years, but that if a man has really put in an efficient and faithful discharge of duty that he had a right to expect that the maximum would be awarded him.

Chairman.

92. I think all this is now more matter of argument than of evidence; I do not understand that there is any dispute as to the facts?—The case that I am laying before the Committee at the moment is the case of those gentlemen who, in point of fact, say that, being entitled under that rule to half pension, they were refused it; and I was reading what the reply of the India Office was to it; simply, in point of fact, the reply of the India Office was, that a pension was not "claimable

Chairman—continued.

"claimable as of right;" and according to the final words of the letter, "every pension which that Government might see reason to grant was to be reported to the Court, with a statement of the grounds upon which it was granted. It was subsequently laid down in the Despatch of 28th February 1855 that in no case should a larger pension be granted." It will be observed that, in point of fact, the India Office here refers these gentlemen to a subsequent alteration of the rule in justification of having—instead of giving them either the pension to which they claim to be entitled under the rules of 1831, or the modified pension to which they claim to be entitled under the rules of 1855—refused to do either, and it has settled with them under the rules of 1870.

93. Surely that is a matter of argument?—I can only give the effect of the reply which was from the India Office.

94. Yes; but in your own words; you are giving your gloss upon the reply?—Precisely. I offered to read the words themselves; if the Committee wish, I will.

95. They have been read, I think?—No, I have not read them.

96. Let them be read then?—"In the 12th paragraph of the memorial a quotation is given from the Despatch of the Court of Directors, dated the 5th May 1854, No. 18, from which it is clear that the pension, equal to half the average salary, which the Government were authorised to grant after 35 years' service, without medical certificate, was not in any case to be claimable as of right, and according to the final words of the Despatch, every pension which that Government might see reason to grant was to be reported to the Court, with a statement of the grounds upon which it was granted. It was subsequently laid down in the Despatch of 28th February 1855 that in no case should a larger pension be granted under the rules than 400*l.* a year to uncovenanted servants receiving salaries not exceeding 1,000 rupees a month, or than 500 *l.* a year to those whose salaries were in excess of that sum. But it still remained open to the Government of India, in regard to officers who entered the service before the 19th of May 1855, the date of the General Order issued on the receipt of that Despatch, to recommend the grant of a pension exceeding those limits, in cases where they considered that the services of the officer had been of such extraordinary merit as to justify a higher pension; and in certain cases this course has been followed. In the case of none of the memorialists, however, was such a recommendation made, and the Government of India, having again examined the records of service in each instance, have reported that they see no reason for granting to any of them higher pensions than have been already sanctioned. I am accordingly to inform you that Viscount Cross is unable to comply with the prayer of your memorial, that you and your fellow signatories may be granted pensions equal to half of your average emoluments during the last five years of your service. I am, &c. (signed) *John E. Gorst.*" The contention of these men is simply this—it

Chairman—continued.

illustrates the point that we are putting with regard to the retrospective alteration of rules—they say that it was the rule, and the practice, of the East India Company to grant the maximum, and they will show that that was the practice. Of course, I am not prepared here with the facts with regard to that. It was the practice of the East India Company to grant the maximum, and, in confirmation of that, I would call attention to the fact that when the East India Company referred to cases of extraordinary merit it was its practice to grant more than the maximum. That is a point, of course, which serves to show that it was the regular custom to give the maximum.

97. You need not direct your evidence against a contention which the Secretary of State is prepared to say he never set up, namely, that he claims the power of depriving gentlemen, by *ex post facto* rules, of rights which have accrued to them. When the time comes, the Secretary of State will, by evidence which will be given, say that he never has intended to, and, as he believes, never has set up such a contention as that, and that these cases you are now adducing are explicable upon other grounds?—The only question is, then, that it would be necessary to alter the rules, in order to bring them into conformity with the intention of the Secretary of State, because, as carried out in practice, they have a retrospective effect.

98. That is exactly what I invited you to give evidence to the Committee of; a case in which the Secretary of State has ever, by an *ex post facto* rule, abrogated a right which has already existed?—That is precisely what I am endeavouring to do. First, I have done so by the rules of 1831; I have given you specific cases.

99. I quite understand what you have put; I should now proceed, if I were free, to cross-examine you upon it; but because I do not cross-examine you I hope the Committee will not suppose that I admit the justice of the interpretation which youhave put upon the action of the Secretary of State in this matter?—I only desire to lay facts before the Committee. What I was going to point out was that the answer of the Under Secretary of State to these gentlemen was based upon this theory: You gentlemen, it is true, came in originally under the Rules of 1831, and were entitled to their benefit; but, subsequently, the company altered their rules——

100. Oh, no; I do not admit that. I do not admit that the answer of the Secretary of State which you read has been based upon an alteration of rules. I do not admit that the Secretary of State says, I will not give you a half pension, because the rules have been since altered?—No, pardon me, I was only going to say what the Secretary of State did say: "It was subsequently laid down in the Despatch of 28th February 1885, that in no case should a larger pension be granted, under the rules, than 400*l.* a year." That is applied to these gentlemen, and it is said that an exception was made. How? It was made by rules which were established in 1864. An exception was made that the Rules of 1831 should only be applied in cases

Chairman—continued.

of extraordinary merit. The contention of these gentlemen was that the company intended them to apply in cases of ordinary merit, and that therefore they were entitled to their half salary. The answer of the Secretary of State is, that their services had not been reported to be of such extraordinary merit as to entitle them to it. Now the contention is that that is an application of an *ex-post facto* rule, because the extraordinary merit rule was a rule that was invented in 1862, and the Secretary of State applies it here to men who entered the service before 1855.

101. Then I understand you to say that inasmuch as the Government of India in its discretion did at one time (assuming it to be so, for the sake of argument) make a practice of giving a half salary to all its servants on their retirement, it has deprived itself of all discretion and must for all time give half salary, and has no discretion whatever to reduce the pension?—No, I do not go so far as that.

102. Is not that your view?—No, I do not put it in that way. I simply put it that the men complain that having entered under certain rules, which said that if they faithfully and efficiently discharged their duties they would be entitled to a maximum of so much, that then by a subsequent rule they are told, No, your duties must be duties of extraordinary merit to entitle you to the maximum at all.

103. I do not admit your words "by a subsequent rule." All I want to do is to put in a *caveat*, and to say to the Committee that they must not assume that the Secretary of State admits the correctness of the construction put by you upon his argument. Having heard all that you have said, and all that you have read, I shall, when the time comes, contend that the Secretary of State never has put such an interpretation upon this rule. I think we might now go on to another point, unless you have some fresh facts to state about this?—Perfectly. I simply want to point out this: I think it is only fair that it should be done, as perhaps I am the only one who can do it. I point out that the Secretary of State decided in 1862 that only in cases of extraordinary merit should the maxima, under the Rules of 1831, be granted. Perhaps I may be allowed to state what the argument is.

104. I think you have stated that already?—No, excuse me, I have not been allowed to complete my statement. I simply stated first that the rule of the company was to grant the maximum, and when I was asked another question, I was going to show that that is proved by a statement of the Court of Directors in a Despatch of the Financial Department of the 20th June 1849, in which they say, "The sole grounds on which a justification of the relaxation of rules so liberal in their provision as are the superannuation pension rules for the uncovenanted service can fairly be based, are either extraordinary service performed, injury sustained in the discharge of public duty, or a sudden termination of official service resulting from a visitation, such as blindness." And then they go on to and say, "Old age should not be considered as a ground for the grant of special pensions. These grants should be avoided except in the case of a very high degree of merit." I simply put in those statements to show what the view of the Court of Directors was with regard to that question of extraordinary merit. Then I carry the Committee on to the Despatch of Sir Charles Wood, No. 205 of 1862, in which he said: "I must observe that under the existing pension rules an uncovenanted servant is not entitled to claim a pension of the full amount, which is only authorised as the reward of approved service, and when the rules were framed it could not have been contemplated that a larger pension than 500 *l.* per annum could ever be granted." Now, what the service contends with regard to that is, that the latter part of it is not true; that is, that "when the rules were framed it could not have been contemplated that a larger pension than 500 *l.* per annum could ever be granted;" it is not true in its relation to the question which was being argued in this Despatch, because what they say is, that the Rules of 1831, it is true, were originally applied to Asiatics having small salaries; but they point out that the Rules of 1831 were subsequently and definitely applied by the company to Europeans who had entered the service, and who were receiving high salaries, and that that was shown and confirmed by the Resolution of 1885; therefore, they deny that it was correct for Sir Charles Wood to say that when the rules were framed, it could not have been contemplated that a larger pension than 500 *l.* would ever be granted, because in point of fact the rules were actually applied by the company to the men with the intention of giving them half-pay pensions; and it was admitted in a Despatch that I quoted just now, that there were actually men engaged at that time in the European uncovenanted service who were receiving salaries of from 1,200 *l.* and 1,400 *l.* a year. Then later on in that Despatch, the Secretary of State added, "under any circumstances, therefore, the full pension should only be awarded in cases of extraordinary merit." Now, what the service contends is, that that sentence in itself virtually involves a repudiation on the part of the Government of the real effect of the Rules of 1831 and 1855. Of course, I am not at liberty to argue that. Then I promised to give the Committee a fact which would show what the meaning of the Court of Directors was in saying, "These pensions are to be regarded as the rewards of good service. They will not in any case be claimable as of right." Light is thrown on the meaning of those words by reference to the Company's leave rules of 1846, section 13, "No leave of absence on private affairs shall be claimable by any party whatever under the rules as a matter of right," thus distinguishing leave on private affairs from other leave which it was to be presumed was claimable as matter of right. There can be no doubt, at least it is submitted on behalf of the service, that when the directors use the words, "These pensions will not, in any case, be claimable as of right," they simply meant them to apply to the men who had come in under the Rule of 1854. That is the men who retire after 35 years' service without medical certificate, and that there was no intention whatever of laying that

Chairman—continued.

that down as a general rule of the service. Then you asked me if I could give specific cases in which the Government had repudiated its covenant. I will give some cases. I have here the case of two officers; I do not know whether I ought to mention the names?

105. Are they going to be called?—They are not going to be called, but these are official Despatches which have passed with the Government, and which I should ask leave to put in.

106. What I want from you is this, I do not know perhaps that you quite appreciate it. An officer who makes a claim for an increased pension, and is refused, of course says that the Secretary of State has repudiated his covenant?—Yes, that of course.

107. He does not apply for the increased pension unless he thinks he is entitled to it, and reads his covenant in such a way as entitles him to it, and therefore, when he is refused, he says, "Oh, the Secretary of State has repudiated his covenant." What I want you to do is to produce any case in which the Secretary of State himself says that he repudiates the covenant. Can you find me a case in which the Secretary of State says, "No doubt you are entitled to such-and-such an increase of pension under the rules in force prior to the year 1855; but inasmuch as these subsequent rules have been made, your right, which had accrued, has now been abrogated"?—I contend that that is an instance in point.

108. If you are going to give individual cases in which the applicant contends that the Secretary of State has repudiated his covenant, it will not advance us much further?—No, except in this respect, that the Secretary of State, by an official Despatch, has really assumed the responsibility for the refusal to carry out the agreement.

109. That is the construction you put upon the Despatch you have read, is it not?—No, I am not speaking of the general Despatch; I am speaking of a particular application to an individual. This is one of the cases in which the India Office addressed a gentleman who was to go out to be professor of history and political economy in the Elphinston College of Bombay. This is dated 23rd January 1873: "Sir,—The Duke of Argyll having been pleased to appoint you to be a professor of history, with political economy, in the Elphinston College, Bombay, I am directed by the Secretary of State for India in Council to acquaint you that the following are the terms and conditions on which your appointment has been made, and that, on signifying in writing your acceptance of them, the sum of 150 *l.*, being the amount allowed for outfit and passage, will be payable to you. Your salary, commencing at the rate of 600 *l.* per annum" ("600 *l.*" is put in figures), "will begin from the date of your reporting your arrival at Bombay to the Government of that Presidency, and will be raised in five years to 900 *l.* per annum by a yearly increase of 60 *l.* If your services be approved, you will thereafter be promoted to the senior grade, on a vacancy occurring, and you will then receive a further increase of salary at the rate of 60 *l.* per annum for two years, and 90 *l.* per annum for the two next succeeding years." Then follow the usual directions as to going out and so on. It appeared that objection was taken to paying the salary in pounds sterling, as other men were receiving their salaries in rupees.

110. Is the word "pounds" there in writing or in figures?—There is the figure with the £., "the sum of 150 *l.*" would be advanced; and then "your salary commencing at the rate of 600 *l.* per annum will" go on.

111. That 600 *l.* is in figures?—In figures inserted at the India Office. There are several similar cases to this. Then comes a memorandum from the Financial Department, No. 250, Bombay Castle, 24th April 1887.

Mr. *Bristowe.*

112. What was the date of the original letter?—The date of the original letter was 23rd January 1873: "I have considered in Council your financial letter dated the 2nd November 1876, No. 389, submitting for my decision claims which have been preferred by Messrs. Peterson and Giles, of the Bombay Educational Department, to receive their salaries in India in pounds sterling in accordance with the literal terms of their letters of agreement, instead of, as hitherto, in rupees, calculated at the exchange of 10 rupees for every pound sterling." It will be observed that here these gentlemen demanded something more than their pound of flesh. They demanded to be paid in pounds sterling, not at the rate of 10 rupees to the pound. "I see no reason to believe that, when accepting service in India, Messrs. Peterson and Giles contemplated receiving their salaries in that country otherwise than in rupees, calculated at an exchange of 10 rupees for every pound sterling, but as the salaries in their contracts are expressed in pounds sterling, the claims now asserted by them must probably be admitted. The inconvenience attending a departure from the ordinary practice of your Government, is, however, so apparent, that it appears to me to be desirable to terminate their existing agreements, or to dispense with their services at the earliest opportunity." Of course I have no right to comment upon that: I simply put in the facts. It appears that on finding that it was bound by the terms of the contract to pay in sterling, as soon as the Government found that, although the men had already put in a good deal of service for pension, as soon as the Government found it inconvenient to make that contract good, they proposed to take advantage of the six months' clause in the agreement and dismissed the gentlemen without any regard to the fact that they had already performed some service for pension.

113. But acting, of course, within their right under the contract: that is not an instance of the Secretary of State repudiating a contract, because he acts within the terms of it?—That is an instance of the Government action. I may say there is a letter, I believe in that correspondence, from the Secretary of State approving of

Mr. *Bristowe*—continued.

of that, suggesting that the men shall be dismissed.

Mr. *Buchanan.*

114. Whom did the letter you read come from; was it from the Governor of Bombay?—The letter I have just read is a "Memorandum from the Government of India, No. 2038, dated 17th April 1877, forwarding with reference to this Government communication," so-and-so.

115. As a matter of fact, were they dismissed?—No, they caved in.

Chairman.

116. Is not this rather a case of one party to a contract saying: I will have my pound of flesh; and the other party to the contract saying, very well, then I will have mine. In what took place, were not both parties strictly within the terms of the contract made; the applicants in insisting upon being paid in sterling, and the Secretary of State in insisting upon giving the six months' notice, which under the contract he was entitled to give?—Giving a six months' notice on the ground that he was asked to carry out his part of the contract, and after the men had established a moral claim to a pension, to deferred pay.

117. Did he state that to be his ground?—He does not say so.

118. Then how do you know that it is so?—I have to explain to the Committee that I made a mistake just now in attributing these words to the Bombay Government. I find they are the words of the Secretary of State. I may say that there is another case, which I will hand in to the Committee. Briefly, it was this: This gentleman had the same clause in his agreement. He was informed that it would be inconvenient for him to draw in sterling, and an intimation was conveyed to him at the end of 11 years, in the 11th year of his service, that if he did not withdraw and agree to a compromise he would be dismissed under the six months' clause.

119. Had he been drawing sterling or rupees during the 11 years?—He had for 11 years.

120. Been drawing sterling?—Yes.

121. Are you sure of that?—Yes; I will hand in the case next time I come. I have it here with me, but I do not think I could find it at this moment.

122. In the former case I understand the education officers did not draw their pay in sterling, but merely claimed the right to draw it in sterling; is not that so?—What I understand is, that between 1873 and 1877 they found that they used to receive it at the rate of 10 rupees to the pound sterling. They had done so, I believe. Then, finding that the rupee was going down, they demanded to be paid in the actual sterling under their covenant.

123. Was not that the case with the gentleman who had been 11 years in the service. Had not he been receiving his pay in the same way?—I will give you the details of that case. I cannot put my hand upon it at this moment. I only mention that there is another case.

Chairman—continued.

124. Now are you prepared to go on to the third point?—Perfectly. Perhaps I may be allowed to call attention to an argument on page 38 of the case (the men make a strong point of it), namely, that pension is deferred pay. They complain as regards that, that first of all, therefore, when they come to receive their deferred pay, they are paid in a depreciated currency; and, secondly, that when they come to the end of their service they are refused the full benefit of the rules.

125. I think you stated that at the outset?—Yes; I am saying that those are the two points under the third head. The attention of the Committee is strongly called to that. It will be observed what was said with regard to that in the evidence given by General Strachey at the end of page 38, and on page 39, where he says, that undoubtedly engineers were induced to enter the service on less pay than they were getting from the railways or from other employers by the fact that they were offered pensions. I should wish to call attention under the head that we have been upon, particularly to what is stated on page 45 of the case, the official despatch from Sir Rivers Thompson. In that despatch he discussed this very question with regard to the loss by exchange. It will be observed that he says: "In forwarding the first memorials which were received by him, the Lieutenant Governor was not aware how far the feeling expressed in them was shared generally by the body of civil engineers in the service of Government, and he did not therefore deem it necessary to add any remarks of his own. But from the submission of these additional memorials on the same subject, and from other sources, he has reason to believe that the question of loss by exchange, in so far as it affects the prospects after retirement of those officers whose pensions are payable in rupees, is one that is being discussed very generally, and is causing a considerable amount of discontent. His Honour desires, therefore, on the present occasion, to draw the special attention of the Government of India to the subject."

126. Are you not now going back rather to your first point?—No, I simply wish to put this in. I need not read it. I can put it in if the Committee will have it printed. I only want to point out that he argues here against what is practically an *ex-post facto* rule. You wish to take me to the next point, I understand you to say.

127. Perhaps we might now proceed to the third grievance?—Yes. The third grievance is that the amount of service exacted for the securing a pension in the case of a large body of the European uncovenanted servants in India is unduly long. Well, of course upon that, evidence must be brought forward by men who are acquainted with the service and with the climate of India. I cannot profess to offer any remarks upon that, except this, that I would wish to call the attention of the Committee to a Despatch of the Government of India to the Secretary of State, No. 227, dated the 4th October 1870, where the following passages occur:—"It being then established

Chairman—continued.

blished that many important offices cannot ordinarily be filled either by natives of India, or by officers of the Covenanted Civil Service, or the Staff Corps, it is obviously most important that suitable rules for leave of absence to the officers who must fill them should be passed. Not only have the officers themselves a strong claim to liberal treatment in this respect, but it is most important in the interests of the public service, to facilitate by every legitimate concession, periodical visits to Europe or America by every native of those continents in our service, uncovenanted as well as covenanted. We cannot suppose that it was your Grace's intention *primâ facie* to exclude from the benefit of the more liberal rules to which you have assented, the many meritorious uncovenanted officers who are now in our service; * * * at least we can conceive of no ground upon which we could make any distinction between two gentlemen, not natives of India, of equal rank, or holding the same office in our service. * * * * We desire strongly to recommend that whatever may be decided for the future, every officer now in our service in any of the appointments mentioned in the list (Schedule A., Civil Leave Code) attached to our draft rules may be admitted to the benefits of the more liberal rules which have now been approved by Her Majesty's Government. And for the future we would submit, for the consideration of Her Majesty's Government, that we shall be placed in an unfair position if the fact of an officer being appointed in India shall, *ipso facto*, place him in an unfavourable position as compared with officers not more than his equals, and perhaps his inferiors, only because they have been appointed in England."

128. What is the length of time that the general body of the uncovenanted servants have to serve for pension?—The general body serve 30 years.

129. What are the more favoured departments?—With regard to that, I believe there is a carefully prepared schedule showing how all these different departments are worked.

130. Is that in your Case?—No, it is being printed now and it will be handed in.

131. Could you without it say what the more favoured departments are?—I have it here now and can hand it in. More favourable rules are given to civil engineers and telegraph officers with European training. Two officers of agricultural department, Madras; graded officers, Geological Survey; officers of Forest Department trained in Europe under regulations made by the Secretary of State.

132. How long do those favoured classes serve for pension?—I believe for 25 years. The others must serve 30 years without any leave counting for pension.

133. The grievance is that the whole of the service does not count for pension. That I believe applies entirely to the rules by which service prior to the age of 22 does not count?—Precisely; the case that arises there is this: that the men who have entered the service and who are put into effective positions, who are made to do effective duty, that is to say duty independent of supervision or control, who therefore have done effective service, are not allowed to count any of it before the age of 22. The intention of that has been stated by one of the Secretaries of State to have been rather in favour of Europeans as against Asiatics, the intention being to exclude Asiatics from beginning to count too early for pension; but in point of fact the result of it has been (as will be shown by gentlemen who are coming to give evidence here) that some men have lost four or five years of their pension rights and that I believe can be shown to be a case of the application of *ex post facto* new rules.

134. Do you mean to say that you can adduce cases in which a man who entered the service with the whole of his time counting for pension, but who during the course of his service was made subject to a rule by which the earlier part of his service was knocked off?—Yes, Mr. Heyman, I believe, the Secretary of the Uncovenanted Civil Service Association is one of the gentlemen who will give evidence to that effect, and Mr. Clark, and there are others. One gentleman told me the other day that when he entered the service his service counted for pension, but by the operation of subsequent rules they have cut six years off his service.

135. Do you mean to say that in calculating his pension they have actually done it?—Yes, they have done it.

136. Six years?—In one case a man told me that six years had been cut off, but that of course is an extreme case.

137. Can you give the average age at which men join?—I could not speak to that; the men must give their own evidence upon that point. I think men have joined as early as 16. I believe that under the Asiatic rules men only began to count for pension from 16. I believe that is the fact. But then came this rule, that would not allow Europeans or Asiatics to count service for pension before 22 years of age.

138. Is not the case you mentioned just now of a man suffering under *ex post facto* rule, in point of fact, a case in which a man has had a choice of having his pension estimated either according to old rules or according to new rules, and taking the advantages and disadvantages of each together?—That is the contention I know of the Government. Of course I cannot give evidence on behalf of those gentlemen; but I understand that evidence will be brought before the Committee to prove that those gentlemen had those rules applied to them when they were leaving the service, and that they were then told that they had concluded themselves by accepting leave under certain new rules which had intervened; and they say that they were not notified at that time that the acceptance of those leave rules would in any way affect their other rights under the previous rules. However, that is of course a question upon which I could not possibly give evidence.

139. Had not the gentlemen themselves, according to the official version of their story, voluntarily

Chairman—continued.

voluntarily elected to come under new rules in the course of their service?—I assume that it is so.

140. That is the ground on which the Secretary of State acted; that they had elected themselves in the course of their service to come under new rules?—Precisely; I think that is so.

141. Now the next point is furlough not counting for pension; does furlough count for pension in the case of any of the uncovenanted civil servants?—Yes On page 61 the Committee will see that the following officers of the European Uncovenanted Service may count a limited period of furlough as pensionable service. (1) Officers of the engineers establishment of the Public Works Department, and of the Telegraph Department, trained in England; most of them having been appointed in England; (2) two officers of the Agricultural Department; (3) graded officers of the Geological Survey; (4) officers of the Forests Department trained in Europe under regulations framed by the Secretary of State, and two officers specially named. The periods of furlough they are allowed to count are: two years' furlough in 20 years' total service; three years' furlough in 25 years' service; four years' furlough in 30 years' service; five years' furlough in 35 years' service. This concession has only been granted within the last seven years. These officers also have the privilege of adding three years to their pensionable service on account of their previous experience in their profession. Then it will be observed that those to whom the privileges are refused by the rules are: officers of the Engineers Establishment and Telegraph Department not trained in England, or who, though educated and partially trained in England, were appointed in India; members of all other branches of the Public Works Department who did not originally belong to the Engineers Establishment, such as the Audit, Locomotive, Traffic and Store Departments of the Railway Establishment; members of the Educational, Financial, Executive, Judicial, and other Civil Departments, who are not members of the covenanted service, or military officers; members of other miscellaneous Departments, such as Customs, Opium, Postal, Police, and others.

142. What is the claim which is made under this head?—I understand that the main claim is that those who have not had the benefit of these favoured rules are in many cases men occupying superior positions in the same office with men who have the favoured rules, and that is simply on the ground that they have been appointed by the Government of India and not by the Secretary of State; in fact that is what they say, as I understand it, that the favoured rules are generally granted to the Secretary of State's men, and a few others selected for certain reasons, and that outside of that line the whole service are placed under the less favourable rules.

143. What is your 6th head of grievance?—The 6th head of grievance is the classification of Europeans with Asiatics, with regard to pension and leave rules. That almost explains itself.

Chairman—continued.

The men say that there ought to be a differentiation, and the rules between Europeans who do not belong to the place, and are not of the climate, and to the natives of the soil, who naturally on the spot can work under conditions which to an European are almost homicidal or suicidal.

144. You do not contend that a European who is engaged in India, and who gains in India a place which an Asiatic might otherwise take, is to be treated differently because he is a European?—I do not contend anything. I am only here to try and state facts; but what I understand is put forward is this: the men point to the absurdity of placing Europeans and Asiatics under the same rules as to leave and pension. They say that obviously the conditions are not the same; and they also point out that if you give 5,000 rupees to an Asiatic, he is practically a rajah, whereas, if you give 5,000 rupees to a European, he is a poor man.

145. We shall have evidence then from some of the gentlemen themselves as to the distinction?—Yes; on this point.

146. Does it not seem obvious to you that the enforcement of such a distinction would put an end to the employment of Europeans altogether in certain branches of the Civil Service, because they would be so much more costly?—I do not see that that comes in, because the fact is, that most of the Europeans whose case is now before the Committee are occupying posts for which natives are not fitted.

147. Is it the fact in all cases?—That is the real point.

148. I understand the distinction in the case of Europeans who are induced to go from England to India to enter the service of the State there, but I do not understand the contention in favour of the distinction between Europeans and Asiatics who are recruited in India, and who are recruited for offices and posts for which both are equally well suited?—I do not wish at all to argue the question. I only want to point out, as a matter of fact, that I believe there are a series of despatches in which the Government of India has very strongly urged, with regard to nearly all the cases in which they appoint Europeans in India, that they are holding posts for which natives are not fitted, and they argue from that fact that they ought to be treated in a different way from the natives with whom they are classed.

149. I see there is another and an additional heading on your case at page 65: "Officers under covenant with the Secretary of State"?—Yes.

150. That almost comes to an allegation that the Secretary of State has abrogated the contract?—Yes, it does; that is what the men allege, as I understand.

151. Do I also understand that no action has ever been brought in a court of law to try this question?—I am not aware whether there has been any action or not.

152. And it is stated that Sir Horace Davey has given an opinion against it; is that so?—Yes;

Chairman—continued.

Yes; but that was only upon one covenant. That is the covenant in Teale's case, which is, I think, a familiar case at the India Office, and one which I propose to put in. Perhaps it would be convenient if I were to call the attention of the Committee first to the East India Company's form of covenant. The forms of the covenants have been altered from time to time, and are now very different from what they were under the East India Company; but I think it will be found that in construing the covenants of the East India Company the Secretary of State or the advisers of the India Office have always construed them as if they were covenants of the Secretary of State, and of recent origin; but I will read this as a specimen: "Extract from a company's covenant of 1857: That the East India Company will pay a salary or wages at and after the minimum rate of one hundred rupees per month, such salary to be paid monthly in the East Indies, and to commence from the date of his arrival in India. And it is hereby expressly declared and agreed that in case the said A. B. shall be absent from his duties, either upon sick leave or upon his private affairs, then his salary shall be regulated in accordance with the rules for persons appointed to the Public Works Department. And further, that in case the said A. B. shall continue in the service of the said company for the space of 20 years or upwards, either in such capacity as aforesaid, or in any other capacity connected with the department in India, he shall be entitled to the benefit of the pension rules applicable to persons appointed to the Public Works Department in India. And it is agreed that in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of 10 rupees." I may say that generally the terms of the covenants with the Secretary of State follow this formula, only that there are certain reservations with regard to the application of the rules which have been subsequently introduced. But perhaps I may point out what the court of directors meant when they said, "He shall be entitled to the benefit of the pension rules applicable to persons appointed to the Public Works Department in India." There is a letter of the Financial Department, No. 21, of 1855, "To our Governor General in India in Council. In your letter of 4th September 1854, No. 67, you submit for our consideration the position of the uncovenanted officers and subordinates in the Department of Public Works, who are at present excluded from the benefit of superannuation pensions." Then in Clauss 2 they say, "Before the receipt of your despatch, we have resolved to bring within the scope of the pension rules the civil engineers whom we are endeavouring to engage in this country for service in India, agreeably to your recent requisition." Now the contention from that is that it is perfectly obvious that the construction of the words, "to the benefit of the pension rules applicable to persons appointed to the Public Works Department in India" in the company's covenant was meant by the company to relate to the rules which were then in force; because the company distinctly here say that they wish to bring within

Chairman—continued.

the scope of the pension rules referred to above "the civil engineers whom we are endeavouring to engage in this country for service in India agreeably to your recent requisition." I think the Committee will follow that argument and see that there is something in it.

153. Is it not a fact that in many cases pensions have been paid in sterling on the ground of the wording of the covenants?—I think so, undoubtedly.

154. But has it not been generally stated, have I not myself stated publicly to Parliament, that wherever the covenant gives the right to a payment in sterling the Secretary of State would always recognise that right and make the payment in sterling?—Yes.

155. I should have spoken of furlough pay having been paid in sterling; there is no instance of a pension having been paid in sterling, except pensions that have been granted in sterling upon special grounds?—Precisely.

156. I mean there is no instance in which the covenant has been so interpreted as to give a right to the payment of a pension in sterling?—The Committee will perfectly understand what is the contention of the men under these covenants; that form which is given there (the company's covenant of 1857), I said had been followed out pretty closely in subsequent covenants. I have one here, for instance, of 1869. The terms of that are that "he shall be entitled to the benefit of the pension rules applicable for the time being to persons appointed to the Public Works Department in India." I understand that there are two contentions under these clauses. The men say that the clause, "in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of 10 rupees" applies to all payments; it applies first of all to the question of salaries; it applies secondly to furlough pay; and then it applies thirdly they say to pensions. Now I understand that with regard to salary and with regard to furlough pay it is admitted that in fact, allowances are paid in sterling at the rate of 10 rupees to the £, rather, which is more accurate, but that when it comes to the application of the pension rules the answer of the Secretary of State to the covenanter is, "Oh, the pension rules say so and so; those rules you have got the benefit of"; but they do not come under the clause that "payments to be made under these presents" shall be made at the rate of 10 rupees to the £. sterling.

157. Sir Horace Davey, whom the uncovenanted servants have consulted, says the Secretary of State is right, does he not?—Sir Horace Davey, on one form of covenant submitted to him (that is in Teale's case) certainly held that that case did not come under the covenant.

158. In other words, Sir Horace Davey held that the payments of pensions were not payments made "under these presents"?—That undoubtedly was so. At the same time it is open to the Committee to look into this question, and to say whether any one reading those clauses would not have come to the conclusion that all

Chairman—continued.

payments under the agreement were to be made at that rate.

Mr. *Barbour.*

159. Was not the obligation originally an obligation in rupees?—No.

160. You say "no," but I should like to see a document produced showing the terms of the arrangement?—Of which, the covenants?

161. Any covenant on which the officers base their claim?—Here is one, for instance. Here is a form of covenant.

162. Will you please read it, where "sterling" comes in, or "rupees"?—"And it is agreed that in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of 10 rupees."

163. Yes; but what is there there that applies to so much per annum, the salary?—With regard to the salary it says here: "That in case and upon condition that he the said assistant superintendent shall observe, perform, and keep all the clauses and agreements herein contained, and on his part to be observed, performed, and kept, the said Government shall and will retain him in the said service in manner hereinbefore mentioned for the said term of ten years, to be computed from the day of appointment, if he shall so long live, and be able to perform, and shall actually perform such service, and upon the like conditions, and not otherwise, there shall be paid unto the said assistant superintendent, his executors, or administrators, for so long a time as he shall be actually in the said service, a salary at and after the rate of two hundred and forty pounds per annum for the first year of the said term, and increasing by thirty pounds in every succeeding year, until such salary reaches a maximum of five hundred pounds per annum."

164. Is that a general obligation?—This is one of the assistant superintendents in the Telegraph Department; of course that is a matter on which the India Office witnesses can give evidence. I believe there are covenants in which salaries are stated in rupees.

165. There is no mention of rupees there?—No, the salaries are stated here, as you see, in sterling.

166. You spoke of a moral claim and a legal claim; I should like you to explain the difference?—That is putting me in rather an awkward position. As I understand it the men say——

167. Leave the men on one side altogether?—Then I should not like to undertake to enter upon an ethical discussion. I do not think I need define that.

168. You could not explain it as a suggested explanation, I understand you to say?—Oh, yes, I think clearly that a man may have a legal right which he has no right morally to enforce.

169. I suppose, generally speaking, men who discharge their legal obligations are moral men?—That is not my experience in life.

Mr. *Howorth.*

170. What proportion of the annuity fund is paid by the uncovenanted civil servant as compared with the covenanted civil servant?—There is no annuity fund for the uncovenanted servants.

171. None at all?—No; but there is one argument which is put forward here, or which might have been put forward, and that is this: There is a sort of what one might call an equitable annuity fund, which has been created by the fact that while these men have been putting in their service, their pension being deferred pay, the Government has been receiving that practically, and taking it at 2*s.* to the rupee, and that it ought to make that good, that it has really made money out of it. Supposing the officers had had that pension paid to them as an annuity, and from year to year had sent it home and had it invested, they would have been very much better off than they are now with their pensions reduced by the fall in the rupee.

172. In fact you suggest that the Government have been receiving in sterling and paying back in rupees?—Yes, that is what they say.

173. Is there any case at all in which when the exchange was in excess of 2*s.*, these uncovenanted civil servants are known to have received that excess or not; that is to say, in the years in which the exchange was in excess of the modern price of silver, calculated at 2*s.*?—Two shillings and a half-penny and 2*s.* 1*d.* sometimes you will see there.

174. Is it on record at all that in any of those years the Government were paying pensions or otherwise at that rate, or was it always calculated at 2*s.*?—It was calculated at 2*s.*

175. Always?—Always; and no doubt the object of the rule which was prefixed to the resolution of 1870 (that note which I read out), was to save the Government from having to hand over the rupees when the rupees were worth relatively more than the sterling. I understand you to ask me, not as to the official rate of exchange, but the market rate.

176. Yes?—That is where the point comes in. You want to know whether, when the rupee might have been sold in the market at 2*s.* 1½*d.*, the Government settled with their officers at 2*s.*

Chairman.

177. Was it not an explicit condition of the agreement made in 1862, that if the pensions were drawn in London they should be drawn at the official rate of exchange. Was it not the fact, that prior to 1862 they were only payable in India; but that in 1862 the option was given to the officers to draw them in London at the official rate of exchange if they thought fit?—Perfectly so.

178. Is it not a fact also that since that date the official rate of exchange has never been more than 2*s.*?—Yes, but I was being asked another question. I was simply asked whether it was ever the case (that is what I understood the question to be) that when the market rate of exchange was 2*s.* 1½*d.*, the Government had discharged its duties or obligations to its servants by paying them at the rate of 2*s.*; I say there is no doubt that it was so, and that they did.

Mr. *Howorth.*

179. I do not quite follow you; how do you reconcile the divergent statement in these Tables; 2 and

Mr. *Howorth*—continued.

2 and 3 very nearly agree; Table No. 3 from the "Pioneer" very nearly agree with Table 2, but the Table 1 is extremely divergent; it is absolutely impossible to reconcile it at all?—Do you observe that in Table 1 the highest and lowest rates of exchange are given in the first and second columns, and that then the official rate is stated in the third column; whereas in the other you have only a statement of the official rates of exchange furnished through the India Office; simply a statement of what purports to be the official rates. That ought to be explained of course. The meaning of it no doubt can be made clear by Mr. Waterfield.

180. What is the meaning of the official rate as contrasted with the market rate at the time; it seems to follow no rule here; it does not seem to be the medium between the highest and lowest rates?—No, I cannot explain it.

Viscount *Baring*.

181. I understand you to say that the question of the value of the rupee did not arise before 1862; is that so?—No, not exactly. That is not what I meant. I say the question of exchange as between the Government of India and its servants did not arise until 1862.

182. Then, as I understand, up to the year 1862 pensions were paid in rupees in India?—Pensions were paid in rupees, at the rate of 10 rupees to the £. sterling.

183. No, I beg your pardon. If you take the year 1858–1859, in the first Table, the value of the rupee is given at 26 *d.*, or 2 *s.* 2 *d.*; therefore at that time, I suppose, the uncovenanted servant in receipt of pension had the advantage of the rate of exchange, had he not?—No. It will be noticed that in those days it suited the Government to quote in sterling, and in the Resolution of 1855 the maxima rates are quoted in sterling.

184. Still he received his pension in rupees?—He received his pension in rupees.

185. And had the advantage of the rate of exchange?—I assume that at that time, if the company had or have given any pensions (I cannot tell whether there are any records to that effect), they would have granted the pension in pounds sterling; but the truth is the company had had no time to do it, because the men had not been long enough in the service to earn a pension.

186. When you say the question of the value of the rupee and the payment of pension did not arise until after the year 1862, do you mean that it does not arise because the rupee up to that time was always of the value of 2 *s.*, or that it does not arise because up to that time the pension was paid in India?—It does not arise because, first of all, the company up to the year 1858 settled with its servants always on the basis of 2 *s.* to the rupee, and between 1858 and 1862 the Government of India did the same. The case of exchange only arose when under the Despatch of 1862 a clause was inserted, saying that if men drew in England they were to draw at the official rate of exchange.

187. Which was optional?—That was optional, but then the men contend that behind that they were entitled to be paid in India £. 1 sterling

Viscount *Baring*—continued.

for every 10 rupees. That is their contention, of course, and I think it would have been so but for that.

188. As a matter of fact, the question did not arise until 1872, because the rupee maintained its value of 2 *s.*?—That is so, practically. The men did not know what they had signed away, because they did not find that they were losing anything at that time.

Mr. *Alfred Pease*.

189. In the Appendix we have a reference, under date of the 20th February 1886, to a Despatch from the Bengal Government to the Government of India, "regarding memorials of certain engineers in the service of Government, praying for their pensions being paid at 2 *s.* per rupee"; is any part of that Despatch referred to in the statement of the case?—On what page is that?

190. That is page 72 of Appendix A., at the bottom; 20th February 1886, the Despatch from the Bengal Government?—No, I do not think that is referred to in the case itself. Of course, it is to be presumed that these Despatches will be produced.

191. I am told that they have been handed in this morning?—I believe that is so.

Sir *William Plowden*.

192. In page 25 of your case, you speak of the rate of exchange at which the Uncovenanted Service Pensions might be granted in England as having been determined by the Secretary of State by the rate applicable to family remittances of officers serving in India. It was taken then to be an equitable rate. Are you sure that the rate of family remittances of officers serving in India has followed the declination in the exchange?—I believe that is so.

193. Then if that is an equitable rate, it might be applied with equal equality to the case of the pension, might it not?—I daresay.

194. If it is an equitable rate?—If it is an equitable rate.

195. Then I have not been able to follow you in the question of the retrospective effect given to the rules. The first rules, as I understood you to say were those of 1831, with regard to the Uncovenanted Service?—Yes.

196. And by those rules on medical certificate an uncovenanted servant might have, after a certain term of service, a half-pay pension?—Yes.

197. But it must have been on medical certificate?—On medical certificate; yes.

198. Then in 1854 an alteration was made, on which you rely very considerably?—Yes.

199. That alteration gave a pension not to be claimable as of right, but equal to half the average salary, which, after a period of 35 years' service, a man might have been drawing without medical certificate?—Yes.

200. What is it you contend for. Do you state, on behalf of the Uncovenanted Service, that at that time, in 1854, every member of the service was entitled to a half-salary pension, calculated on the last five years of his service after 30 years' service?—The answer to that is, first of all, that in a subsequent Despatch, the Court

Sir *William Plowden*—continued.

of Directors referred to the fact that they were entitled: they used the word "entitled."

201. Entitled to what?—Entitled to the maximum, if they had performed the service; that is to say, if they had put in a good, faithful, and efficient service, the Court of Directors admitted that they were entitled to have the maximum pension.

202. Could you give us the wording of that?—Yes.

203. Is it in the case?—No, I think not. This is dated, Fort William, 19th May 1855: "Read a Despatch from the Honourable the Court of Directors, No. 21 of 1855, dated February 28th. Resolution The Honourable the President in Council is pleased to resolve that, in accordance with the orders conveyed in the Despatch above mentioned, such of the uncovenanted servants employed in the Public Works Department as receive above 10 rupees per month of salary shall be entitled to superannuation pension under the provisions of the pension rules of 4th January 1831, and that in no case, as respects persons hereafter appointed

Sir *William Plowden*—continued.

to the Uncovenanted Service, shall a larger pension than 400 *l.* or 4,000 rupees per annum be granted to uncovenanted servants receiving salaries of 700 to 1,000 rupees a month, nor a larger pension than 500 *l.* or 5,000 rupees per annum to uncovenanted servants receiving salaries above that amount."

204. If you rely upon that it is quite clear that the Despatch, upon which you rely, puts a limit to the pensions which can be obtained?—Only as regards those afterwards "appointed." That is one of the points put forward by the service; "in no case as respects persons hereafter appointed;" and the contention of the gentlemen, for instance, who put this case before the Secretary of State was that it was applied to them although they were appointed before.

205. Then, in the case of the gentlemen who were appointed before that Despatch, is there an instance, within your knowledge, of a man who has been refused the half-salary pension after 35 years' service on medical certificate?—Undoubtedly; they have all been refused it.

Thursday, 10*th July* 1890.

MEMBERS PRESENT:

Mr. Barbour.
Mr. Bristowe.
Mr. Buchanan.
Sir John Gorst.
Mr. King.
Mr. MacNeill.
Mr. Alfred Pease.

THE RIGHT HON SIR JOHN E. GORST, IN THE CHAIR.

Mr. G. J. HYNES, called in; and Examined.

Chairman.

206. WILL you tell the Committee, please, what your position is in the Indian service?—I am the Deputy Postmaster General of Burmah.

207. When did you enter the service?—In 1868.

208. And how did you enter the service?—I was appointed in India by the Government of India.

209. After a competitive examination, or without?—Without competitive examination I served six years in the Bank of Bombay before I joined the Government service.

210. Will you tell the Committee what is the point which you wish particularly to bring before them?—There are two or three points; first of all, about the limit of age to 22, specially as regards those who joined before 1862; second, the exclusion of myself and certain other officers in the department from the benefits of the more favourable rules under Section 330 of the Civil Service Regulations (that is, the old Schedule A); thirdly, the payment of pension at 2 *s.* the rupee, and the length of service of 30 years, no period of leave being allowed to count.

211. Just take your first point. Your first point is, that service for pension does not begin to count until a man is 22 years of age?—Yes.

212. Have you anything to say upon that subject in addition to what is put in the Case, and what was said by Mr. Jenkins at the last meeting of the Committee?—The only thing I can say is, that there are many men in my department who joined before that age, and had rendered service when under 22 in posts which they had held since that age until they were 25 or 26, and the service rendered before 22 was just as effective, and I think should count for service just as much as service subsequent to that age.

213. What is the youngest age at which men join your branch of the service?—There is no minimum limit, 25 years is the fixed maximum limit, unless there are special circumstances to justify employment over that age.

214. That is the superior limit?—Yes, the superior establishment limit.

Chairman—continued.

215. Is there any inferior limit?—No; we have even boys employed as telegraph messengers.

216. How young, practically, do you have European or Eurasian boys employed?—Seventeen or 18 years of age frequently.

217. Then is it your contention that a boy of 17, who is employed in the service, should begin to count his time for pension as soon as he is admitted into the service?—As soon as he is admitted, because he does just as good work before 22 as he does after that age.

218. In what capacity do these boys of 17 years of age enter the service?—Chiefly as clerks and some as sub or branch postmasters.

219. I suppose in your branch of the service boys are employed even younger than 17?—Very seldom, except as telegraph messengers, and there are very few of those employed.

220. What are the telegraph messengers, Eurasians or Europeans?—Natives.

221. Exclusively natives?—Exclusively natives.

222. At what age are telegraph boys employed?—There are very few employed, at about 10, 11, and 12 years of age.

223. Could they rise to be postmasters?—Some of them could. Several native postmen have risen to the grade of postmasters.

224. Would you begin to count service for pension from 11 or 12 years of age?—No, you must have some limit, I think.

225. What limit would you put?—About 17 or 18, the same as in the other services.

226. Have you anything more to say on your first point?—No, nothing more on that.

227. Now take your second point?—My second point is, that the more favourable leave rules have been granted to certain officers only, and that others now holding similar appointments have been debarred from the benefit of those favourable rules.

228. Which are the branches of the service to which the more favourable leave rules have been granted?

Chairman—continued.

granted?—They have been granted only to certain officers.

229. Certain specific officers only?—Certain specific officers.

230. In your branch of the service?—In my branch of the service; you will find the officers named in the Civil Service Regulations, Section 330.

231. On what ground were the more favourable rules granted to these special officers?—In a Despatch of 1868 the Government of India represented that they considered that officers holding those appointments should have the benefit of the more favourable leave rules, because they were European officers; and for years no other than Europeans could be appointed to those posts. Up to this date none but Europeans have been appointed.

232. Are officers now added to that list?—A few have been added since 1876.

233. Is it your contention that all officers holding these particular posts should be allowed to have the benefit of the more favourable leave rules?—Yes, I may add that I have held one of those appointments since 1875, and because I was only officiating in the appointment when the Despatch came out from the Secretary of State in 1876, I was debarred from the more favourable rules.

234. Have you never been admitted?—I have never been admitted. The Government of India has never sent in any of our names.

235. Can you tell the Committee very shortly what is the advantage of the more favourable leave rules?—They give one year's furlough after every four years' service, and furlough pay of 800 *l.* a year; whereas, under the unfavourable leave rules an officer can only get two years furlough in his whole service, and a maximum furlough pay of 600 *l.* a year.

236. You are speaking of the postal service, are you not?—Of the postal department. Another thing I would like to bring forward in connection with this is, that there are 19 of those Schedule A. appointments in my department. Under the terms of the Resolution of the Government of India, and the Secretary of State's Despatch of 1876, out of the 19 officers holding those appointments, there are only three who have the more favourable leave rules. Of those three, one officer is a third grade deputy postmaster general, and another a presidency postmaster. I am a first grade deputy postmaster general. There are also two second grade deputy postmasters general, and one posmaster general who are under the unfavourable rules; whereas, a third grade deputy postmaster general is under the more favourable rules accorded by the Secretary of State's Despatch.

237. Have you anything further to say upon this head before I pass on?—Upon this point.

238. Upon this point?—I do not know whether I made quite clear enough that when the Secretary of State's Despatch of February 1876 came out the terms of the Despatch were that to attain the more favourable rules the officer must be not of purely Asiatic descent, that he must have held substantively, in 1872, one of the Schedule A. appointments, and that he drew on the 10th February 1876, I think it was (the date of the Despatch), 500 rupees a month. I was holding one of the appointments six months before that Despatch came out to India. I was drawing 20 rupees a month less than the maximum of 500, therefore I was left out; and there are several other officers in my department who are similarly situated.

239. Will you pass on now to your third point?—My third point is, that no portion of leave on medical certificate or furlough is allowed to count as service for pension, although it does in the covenanted and military services, and in a few departments in the uncovenanted service. My contention in reference to that is that we are just as liable to suffer from illness as officers in other departments. Concessions have been made to the Telegraph, the Public Works, and other departments who have to serve in the same country and in the same climate that we have; and it is hard that we should not be allowed to count any portion of leave (especially upon medical certificate) as service for pension. At present I am at home on medical certificate; I had to go up to the Chin Frontier in connection with the Chin expedition; I contracted the malarial fever there, and I have been at home eight months. The whole of that eight months is lost and does not count for service.

240. If you had been in the Public Works, or the Telegraph Department, that would not have been the case, you say?—I should have been allowed to count a certain proportion according to the concessions made a short time ago, two years out of 20 years' service. I have a service of 22 years in the department, and the only time I have ever taken sick leave is on this occasion. I ought to have taken it once or twice before, but could not do it because it would not count as service.

Mr. *MacNeill.*

241. In some of the services the officers are more exposed to the climate than in others, are they not?—Yes; I have to go to the same places as the officers of the Telegraph Department have to go to.

Chairman.

242. Will you pass now to the question of exchange?—The only thing I can say with reference to that is, that when I joined the department in 1868, and for some years afterwards, all the rules and regulations quoted 5,000 rupees as 500 *l.* sterling; and I was certainly under the impression that when I earned the maximum pension I should get 500 *l.*, and not 350 *l.* or 354 *l.*, or whatever the rate may be. When I retire, I hope my pay will be high enough (it is almost now) to give me as half pay more than 500 *l.* a year, even calculated at the current rate of exchange; therefore, I always looked upon 500 *l.* as the minimum pension I should get. If my half salary came to more, I could not get it, of course.

243. There is a fifth point, is not there?—Yes; that is with regard to the length of service. I think that 30 years is longer than any European can be expected really to serve in India to earn a pension. A great many of us never live to complete 30 years, and die in the country; no portion of that service being allowed to count as service when we are on leave.

244. You

Chairman—continued.

244. You mean that an officer of your department must be actually 30 years at work in India?—A European officer must, unless he is incapacitated from further service, serve 30 years before he can retire, unless he is 55 years of age before that time expires, then he can retire if he likes, but not otherwise. He must serve the full 30 years, and he must not take a day's leave out of that 30 years, to be entitled to his full pension.

245. What term of service would you consider a reasonable term?—Twenty-five years, with, say, an optional retirement after 20. There are many cases, of course, where private affairs may necessitate an officer retiring before 25 years. The concession has been made to other departments of optional retirement after 20 years with such pension as may have been earned.

246. A graduated pension?—Yes, such pension as he is entitled to.

247. Do you know what departments have the option of retirement?—Yes. I think the Telegraph, the Public Works and the Forests Departments, and some others. I have got them here, I think.

248. I only wanted you to mention them to illustrate to the Committee what they were?—It is very hard that an officer after serving 20 years in a climate like that of India may have to retire through unforeseen circumstances (family affairs or private affairs may compel him to retire), and then not get a pension.

249. Unless he can get a medical certificate that he is unfit for further service?—Unless he can get a medical certificate to say that he is utterly incapable of any more work, which is rather a difficult thing to get.

250. Do you suggest that the system of optional retirement earlier than that, with a graduated pension, should be applied to all European officers?—To all European officers, yes. It is not necessary for native officers, because they are in their own country, and have not to go home.

251. Was that fifth point your last point?—This affects my last point, because that will also reduce the period of service, if necessary. If you have to retire, you can do so; but what I want to impress upon the Committee chiefly is the hardship of being obliged to forego a pension of any kind, if you are compelled, through unforeseen circumstances, to retire before the completion of 25 or 30 years' service, as it is now.

252. Is there anything else you wish to say to the Committee in your examination-in-chief?—No, I think that is all.

Mr. *King*.

253. If you will allow me, I will ask you one or two questions; you were originally in the Bank of Bombay, you said?—I was, for six years.

254. What induced you to leave the Bank of Bombay?—I was in the old Bank of Bombay, which failed, and I was not taken on by the new Bank. I was agent at one of the branches.

255. Was there an advertisement inserted to

Mr. *King*—continued.

invite your service?—No; I was offered an appointment by the then Director General of Post Offices which was sanctioned by the Government of India.

256. You said, as regards furlough pay, one year in four was allowed to count, or not to count, but that you were allowed one year's furlough?—I am not allowed to count even that.

257. I am speaking of those under Schedule A, or those who came in under the special rules?—The more favourable rules.

258. One year in four is allowed for furlough, or four in all?—One year after four or four in all.

259. None of that counts for service for pension?—It does in the cases of the few officers I have mentioned.

260. In the Public Works Department?—Yes, and a few other departments.

261. And it was a purely arbitrary distinction which was made in 1876; I mean this, that the line was drawn, not for any reason except that the Despatch was dated February 1876?—Yes, February 1876 was fixed for that reason; and it was contrary to the recommendation of the Government of India.

262. I was going to ask you what the recommendation of the Government of India upon the point was?—The Government of India recommended that officers holding those, and appointed to those, appointments should have the benefit of the rules.

263. What was the date of that recommendation?—1868, I think. I think it was the Despatch of 11th February 1868 from the Government of India.

264. That was the year you entered the service, was it not?—That was the year I entered the service. I entered in May 1868.

265. Your experience in your department and the experience of those under you is, that it is necessary for Europeans to come home occasionally, is it not?—Yes, it is absolutely necessary.

266. I am only speaking of the Post Office for the moment?—In the Post Office Department (I mean these specified appointments in the Schedule) there is no native in the department fit to hold these appointments as yet.

267. How long will you have to serve in order to get your pension?—I shall have to serve another four-and-a-quarter years, simply because I shall be 55 years of age then, otherwise I should have to serve another eight years.

268. And no furlough is allowed to count?—No; I should really have to serve another 9¼ years, because having been on furlough eight months, besides eight months' leave on medical certificate, I have lost that time, and that would make 9¼ years.

269. It is not as a reward of any special merit, but simply owing to the fact that before a certain date, February 1876, certain gentlemen were drawing 500 rupees a month and holding certain appointments, that they are treated differently to what you are?—Quite so. As regards the men holding certain appointments in 1872, the rule stated that those who held those appointments in 1872, and were drawing certain pay in 1876, should be so treated.

Mr. *Buchanan.*

270. Do you hold your appointment under any contract?—None whatever.

271. What is the term of the appointment?—I have no contract at all. I have no legal claim, and do not pretend to have any. All I ask for is in equity and justice.

272. Under what conditions were you appointed to the service in 1868?—No conditions, except those laid down in the Civil Service Rules and Regulations, in force at that time.

Mr. *King.*

273. The conditions of 1876, of course, or of 1872, did not exist in the year 1868?—That is so.

Mr. *Buchanan.*

274. We will see the Despatch presently; but the Despatch of 1876 conferred certain favourable terms upon certain officers of a certain grade in your department?—Yes.

275. And you had not at that time that position?—I was at that time acting in the appointment, not permanent.

276. At the date of that Despatch you did not draw the requisite salary?—I was 20 rupees a month short of it, because I was officiating. Had I been in the appointment permanent I should have been receiving the salary of the appointment, which was over that amount; but because I was officiating I was drawing the officiating allowance, which came to 20 rupees under that amount.

277. With reference to the other point you suggested, that 25 years would be a better term of service; do you mean to include in that 25 years' service the time of leave; is it 25 years in India?—Twenty-five years' actual service in India.

278. Corresponding to the 30 years at present?—Yes.

279. There is only one other point, that is, about natives in the service. Are there any natives in the higher grades of the Post Office?—There are none holding any of the appointments mentioned in Schedule A. One or two have officiated for a short time; but no man has ever been permanently appointed as yet.

280. Are there any holding offices similar to yours?—No, none.

Mr. *Alfred Pease.*

281. You have stated that no time before the age of 22 was allowed to count for service; what is the limit of age in the Covenanted Service?—Eighteen, I believe; I am not sure.

Mr. *Barbour.*

282. If the limit of age of 22, at which service commences to count for pension, were removed, would not that tend to exclude younger persons from the service?—I do not think so.

283. What I mean is this: the Government of

Mr. *Barbour*—continued.

India in the Civil Service might say, We will not commence with these people until they are 22, or some age like that; would not that be likely to happen?—I do not think so; because there are gentlemen in India who have their sons at home getting their education, and who cannot afford to keep them at school so long, and therefore would bring them out at 18 if their service then would count.

284. That is not what I mean. The Government would say, would they not, if the limit of 22 were removed, A man at the age of 22 would suit our purpose better than one at 18, and therefore not commence to employ men until they were 22; that is to say, that they would simply not take them in so soon?—I do not think it would prevent them being employed or applying for posts under 22.

285. My point is this, that the Government, in their own interest, would not take them on sooner than 22, or some other age a little under that, perhaps; that is, they would not take them on so early in life as they do now?—I do not see why they should not, because they can render just as good service in the lower grades of the department at that age as later, and they get in that way so much more training and practice to make them more efficient officers as they get older.

Mr. *King.*

286. Might I ask you one question in reference to the question put by Mr. Buchanan?—Your suggestion is that 25 years' actual service should be put in?—Twenty-five years' actual service.

287. But that the man who serves for 30 years should have four years' furlough, or that he should serve 27 years and have two years' furlough to count?—Yes.

288. You think that 25 years should be put in?—Yes, instead of 30.

Mr. *MacNeill.*

289. Are the terms more unfavourable than in the Covenanted Civil Service; is not the term in the Covenanted Civil Service 20 years actual service?—Yes; those are much more favourable. I do not attempt to ask for all that the covenanted service get.

290. You have had great experience in the service, and you say that through the fact of a man having to serve 30 years, all that 30 years being exclusive of furlough, many men in your department, to your own knowledge, have refused the furlough, and thereby imperilled their health, and possibly even their lives?—Certainly they have; men who would have taken furlough could not afford to do it, because they knew it would not count as service.

291. By which they have imperilled their health and sometimes their lives?—Yes.

10 *July* 1890.

Mr. C. RIVETT CARNAC, called in; and Examined.

Chairman.

292. WHEN did you join the service of the Government of India?—I joined the service shortly after the age of 19 years.

293. I said "when"?—In May 1872.

294. You were then a little more than 19 years old?—Yes.

295. In what department did you join?—In the Financial Department of the Government of India.

296. Were you admitted by competitive examination or by nomination?—First of all, I obtained a nomination to compete. There were three nominations for each vacancy. At that time there were two vacancies.

297. You joined in India, did you?—In India.

298. From whom did you get the nomination?—From the Financial Member of the Governor General's Council, Sir Richard Temple.

299. Were you born in India?—I was. I came home at the age of three months or four months; that is to say, I came home to England.

300. Now will you, as the last witness did, tell us first the points upon which you wish to give evidence?—I wish to give evidence upon all the points that are mentioned in the abstract of the Case.

301. All the points mentioned in Mr. Jenkins' Case?—Yes.

302. We will take you then in order, if you please?—May I mention that my evidence will affect most of the officers in my department; that most of us serve under the same disabilities as regards leave and pension? May I first give evidence as to my parentage and education, so that I may be able to prove that we are of the same social position, and that we serve exactly under the same circumstances as gentlemen in the Covenanted Civil Service, and in the Army?

303. Yes, certainly?—I am the son of a Bengal civilian, and the grandson of the late Governor of Bombay. I was educated at Weybridge and Rugby School, and went out to India at the age of 19. I should like, with your permission, to give a short resumé of my duties, so as to show that they are those performed by covenanted civilians in my department. My office is that of Comptroller of Accounts of the Central Provinces. I undertake the general business of finance in the Central Provinces, and am the financial adviser of the Central Provinces Government, which has a separate account, and a separate financial administration. I have perpetual close relations with the Local Government, and am in constant communication with heads of departments and high officers of the Government generally. I also exercise a considerable patronage in respect of the leave and appointment of men in the large office of which I am the head. I have within my jurisdiction a large number of treasuries which submit to me accounts of all Government receipts and expenditure. These accounts are audited by me, and the transactions embodied in the Government books. I prepare the general budget

Chairman—continued.

annually for the local administration, and draft, for the Government, resolutions upon the several departmental budgets submitted by heads of departments. I also draft the Finance and Revenue portion of the Annual Administration Report. I preaudit, with few exceptions, and issue cheques in discharge of all Government dues payable at the head-quarters of the administration. I can draw personally cheques on the Government for any amount that I consider necessary. I report to the Government upon all applications made to it for leave, pension, and other allowances, and I have under my key, conjointly with a native treasurer on very small pay, currency moneys varying in amount from four to 12 lacs. I am responsible for the financing of all the treasuries within the Central Provinces Administration, and it is part of my duty to act as a check upon the Local Government, that it does not act in contravention of the rules issued by the Government of India. In short, I am the responsible adviser of the Central Provinces Administration in all matters in which finance has the remotest connection. My department, therefore, is part and parcel of the general administration, and is not a mere clerical department. My duties are exactly similar to those performed by covenanted civilians; in fact, my office was formerly held by Mr. James Westland, late Financial Member of the Governor General's Council. I shall eventually rise, by due diligence, to the post of Accountant General, an appointment exactly similar in duties to that which I now hold. If anything an Accountant Generalship is not so comprehensive, as, owing to the absence of a separate Financial Secretary to the local administration, I have to advise the Government perhaps more frequently than an Accountant General has to do. In an appointment as Accountant General I should probably have at certain times covenanted civilians serving under me. There are at the present moment covenanted men in the department holding positions junior to uncovenanted officers. I was at one time for about a year in charge of the Bombay Currency Office, and at the time had silver and Government currency notes to the value of millions of pounds sterling solely under my own key and that of a native treasurer. This shows the responsible nature of my duties, duties not peculiar to myself, but common to all officers of the department.

Mr. *King.*

304. What pay are you drawing?—My "salary," which includes "pay," according to the Civil Service Regulations, is 1,150 rupees a month.

305. That is what I mean. What would it be as Accountant General?—The pay of an Accountant General of the lowest grade is 2,250; the highest grade, 2,750.

Mr. *Barbour.*

306. Salary is one thing and pay is another; what

Mr. *Barbour*—continued.

what is the distinction?—Pay is the substantive pay of your office; salary includes pay and acting allowances, that is, the allowances which are given to you for officiating in a particular class. My department is divided into classes, 1st, 2nd, 3rd, 4th, 5th, and 6th.

307. Then pay is salary, *plus* some other allowance, is it?—Pay is pay proper; salary is pay, *plus* acting allowance. You draw the money all the same; it is merely a distinction for the purpose of account rules. There is no real distinction for the purposes of the Committee, I think.

Mr. *Alfred Pease.*

308. Is it a composition payment for expenses?—No, it is salary; it is purely for work rendered

Mr. *Barbour.*

309. Has it reference to where the money comes from?—No.

Chairman.

310. It all comes out of the revenues of India, does it not?—It all comes out of the revenues of India.

311. But what you receive is partly called pay and partly called allowance?—Partly called acting allowance.

Mr. *King.*

312. There is a reason, is not there, for that course being pursued; it in some cases prevents a higher pension being given, does it not; if a man's pay is under a certain amount, for instance, he would not have the full pension?—Yes; he might not have the full pension.

313. By giving him an acting allowance he may be kept contented while in India?—Yes.

Mr. *Barbour.*

314. The effect seems to be this: for the purpose of pension the salary is kept down, or the pay is kept down; is that so?—No.

315. Your 1,150 rupees a month is pay, is it not?—Salary.

316. That is pay and allowances?—That is pay and allowances.

317. Do you have so much for pay and so much for allowances in this 1,150 rupees?—My pay is 1,000, and my acting allowance is 150.

Mr. *King.*

318. The pension is based upon the pay, is it not?—The pension is based upon the average emoluments. The reason that a man is given the acting allowance is, that he performs more onerous duties than those of his proper appointment. He gets a certain amount in addition to his pay. It does not affect the pension. The regulations are very intricate, I may mention, and difficult to understand, except by an expert.

Chairman.

319. It may be said that you receive pay, and also acting allowances?—Certainly.

320. The pay and acting allowances, taken together, make up your salary?—Certainly.

Chairman—continued.

321. Now will you tell the Committee what you have to say upon each of the points in succession, which are in the Case; the first is that pensions are paid in the rupee currency, which has in a few years depreciated to the extent of 30 per cent.?—My first point is, that at the time I joined the service, in 1872, the official rate of exchange was 1*s.* 11½*d.*, and that neither the Government nor I ever anticipated the fall which has taken place; that in the pension rules in force when I joined the service the maximum pension was stated in sterling, and as exchange up to that date had been approximately 2*s.*, I understood that the Government would pay pensions in the future at that rate, as in the past. I would also point out that pensions being deferred pay, if the Government pays pensions at the current rate of exchange, it will be paying in a depreciated currency, for service which was performed when the rupee was at its full value, or nearly its full value. A further point is, that I understand that pensions are intended to be sufficient to give a man a modest competency after a long service in an exhausting climate, and they were presumably originally fixed with this view, and on the understanding that the rupee would always be worth about 2*s.*; pensions, if granted at the current rate of exchange, I submit respectfully, are really not sufficient to keep a man; the pensions of certain other non-domiciled Europeans in India are paid in sterling.

322. Who are those?—The covenanted civilians, ecclesiastical officers, judges, barristers, soldiers, and so on.

323. I thought you meant in your own service?—No.

324. May I ask whether you suggest as a remedy a sterling pension or a minimum rate of exchange?—I prefer to leave that to the Committee to judge after hearing the evidence. I really have not considered it.

325. I ask what you yourself would suggest?—I should prefer a sterling pension, certainly.

326. Is that all you have to say on the subject of exchange?—Yes; I think that is all on that subject.

327. Then what is your next point?—In regard to changing the rules with retrospective effect, as a financial officer who has to administer these pension rules, I do not think it would be feasible to guarantee to every officer the exact rules under which he entered, as addenda and corrigenda are being made to the rules every month or so; the rules are being altered every month or two months, additions being made to the Civil Service Regulations, and it would be practically impossible to guarantee to a man the exact rules (including the addenda and corrigenda) which were in force at a particular date; but my opinion is that an officer should be allowed to choose between two sets of rules when any very material alterations are made. At present the Government reserves to itself the right to alter the rules without allowing a man the option of electing to remain under previous rules.

328. The next point is the length of service for pension?—Yes; I think the length of service required, 30 years, for a superannuation pension is

Chairman—continued.

is too long for a European, especially if he be under the more unfavourable leave rules.

329. Did you hear the evidence the last witness gave on that subject?—I did.

330. Have you anything to add to that?—As an officer of the Financial Department I can say safely that very few non-domiciled Europeans ever live to take their 30 years' superannuation pension. They either die or they are sent home on invalid pension; in fact they do not get out of India until their health is broken down.

331. Do you say that the 30 years is practically so long as to be prohibitory?—Not to be prohibitive, because of course a few do survive; but if a return were called for of those who joined the service and those who took superannuation pension, I feel sure that a very small fraction of those who join ever live to take their superannuation pensions.

332. Your next point is that service before 22 should count. How much service did you render before you were 22; which is not counted for pension?—I have something over 18 years' full service, of which about 4½ years do not count for pension.

333. How is that?—That is nearly three years under the age of 22; eight months' leave on medical certificate, which I was obliged to take after I had been six or seven years in the country, and one year's furlough which I have had, none of which counts as service for pension.

334. Do you suggest any inferior limit at which service should be taken to count for pension?—I certainly think that service, say after the age of 18, or something like that, should count. When a man's service is efficient, I think that that service should count for pension. My first reason is that my service was of practically the same nature before 22 as after, inasmuch as I was placed in charge of a separate department of the office, and was in charge also of the currency office at Allahabad, long before I was of the age of 22. I had charge of many lacs of rupees conjointly with a native treasurer. I was also, before 22, private secretary to Sir Richard Temple for a short period. My service before the age of 22 was exactly similar to the service which I have been performing since. Just now I am at the head of an office. At that time I was under Mr. Waterfield, the Accountant General, but I was in charge of a separate department; and I continued to do similar work for some 12 or 14 years afterwards. My second point is that certain other officers count service before the age of 22. I think that has already been alluded to by other witnesses; those officers are covenanted civilians, military officers, certain civil engineers, and telegraph officers. These count service before 22. Thirdly, that by commencing service earlier than 22 one's health is more likely to suffer, and therefore one is still less likely to be able to complete 30 years' service than if one began, say, at 22.

335. The next point is that furlough should

Chairman—continued.

count for pension; what do you say on that?—I do not think I can say much in addition to what has been already said upon that. Thirty years is far too long for any non-domiciled European to serve in an unhealthy place like India. I have already said that few Europeans live to take their superannuation pensions.

336. Is there any other point that you wish to bring before the Committee?—I wish further to say, in regard to this, that the fact that 30 years' service is too long for non-domiciled Europeans has been already recognised by Government in the case of certain officers. On page 61 of the abstract this is referred to. This fact has already been recognised; and further, on page 63, an extract is given from a Despatch of the Government of India to the Secretary of State, generally stating that it is impolitic to cause an invidious distinction between officers doing perhaps the same duty, and, at any rate, receiving the same salaries, merely because they belong to different classes. In short, I would respectfully submit that I, as an Englishman, am no better able to serve a prohibitive period in a climate like India than any other Englishman who goes to India.

Mr. *King*.

337. You are engaged, are you not, in the Central Province?—In the Central Provinces.

338. That is a non-regulation province, is it not?—That is a non-regulation province.

339. And the non-regulation provinces are largely officered by uncovenanted servants?—Yes.

340. You, being in a financial position, will perhaps inform the Committee that financial reasons enter into this, instead of using the covenanted agency, I mean?—I presume it is for the cheapness.

341. Exactly; in other words, uncovenanted servants are put to do what was previously covenanted servants' work, and for very proper reasons, for cheapness?—Yes, certainly; in my own department that is the reason.

342. When you entered in 1872, you said the exchange was 1 *s.* 11 *d.*, the official rate?—1 *s.* 11½ *d.*

343. And that for a long time past it had been 2 *s.*?—Yes, 2 *s.*

344. Can you tell the Committee how long; was it 30 years?—I can only say by reference to the table already before the Committee.

345. You stated that you would recommend the sterling pension?—Yes.

346. I do not know whether you thoroughly appreciated Sir John Gorst's question; he asked you whether you would prefer the sterling pension or a fixed minimum rate of exchange. Of course a fixed minimum rate of exchange, if it were put high enough, would practically be the same thing?—Yes; that is what I understood Sir John Gorst to mean.

347. Instead of a fixed exchange of 1 *s.* 9 *d.* or 1 *s.* 10 *d.*, you would rather have a fixed pension of

Mr. *King*—continued.

of 500*l.* per annum, I take it?—Certainly; a fixed pension of 500*l.* per annum.

348. As a financial officer, do not you think it would simplify the work of your department, and of all departments in India and at home, if the rules for pension and leave and furlough were very much simplified and codified and made uniform?—They have been codified.

349. I mean made uniform?—Certainly, I do think so.

350. A considerable reduction of staff might almost take place, might it not, if there were more uniformity?—Possibly.

351. Because there is a great deal of clerical work?—Yes, there is a great deal of clerical work.

352. Is the position you occupy one which is mainly or entirely held by Europeans in India?—Latterly certain natives have been admitted; but at the time I joined the Department it was officered mainly by Europeans, and is still considered necessary that most of the higher uncovenanted appointments should be held by Europeans.

353. I am speaking of the higher appointments, of course?—There are now some natives in the Department.

Chairman.

354. In your particular branch?—Yes, in my particular branch.

Mr. *King.*

355. Do you mean by a "native" what is called a statutory civilian?—I mean other than non-domiciled Europeans.

356. Are the natives in the uncovenanted service natives who are statutory civilians?—No.

357. Can you give the Committee any reasons why Europeans should not be classed with natives?—Yes, certainly. For one thing, the climate of the country is not suitable to an Englishman. I am far worse off than a native drawing the same pay as myself, inasmuch as the necessities of the climate compel me to live in a more expensive manner. For instance, I could not possibly walk to the office without courting death from sunstroke. I am obliged to keep horses. A native is accustomed to walk everywhere. It is nothing to him to walk to the office. In fact, generally I think it would be admitted that a native at, say, 500 rupees a month, is far wealthier than a European who is comparatively poor on the same pay. A European has probably a wife and family, and he has to make large remittances to England. A native's wife and family always live with him all the year round.

358. The Englishman has to send his wife and family home?—He has to send his wife and family home, of course, and he has to stop out in India at an imminent risk to his own health, because with exchange in its present state he cannot afford to go home.

359. The native never need leave India for furlough?—Never. In fact, he is put out of caste if he does so. May I give evidence as to the sixth point.

360. What is the sixth point?—Classing Europeans as Asiatics.

361. I thought you had given us your reasons upon that subject. The Committee will be very glad to hear more if you have anything to add?—The first anomaly is that I am under the same leave and pension rules as the most junior copying native clerk in my office, whose home probably is in Nagpur; secondly, that the Government has already recognised the anomaly in the case of certain officers; that is, those appointed by the Secretary of State; thirdly, that non-domiciled Europeans are under these unfavourable leave rules, contrary to the advice of the Government of India on the subject at the time I joined.

362. As regards those appointed by the Secretary of State, are there some of your appointments in Schedule A.?—All our appointments are in Schedule A.

363. And it is only you, as having been appointed in India, who are affected in that way?—Having been appointed in India, and not having drawn a certain pay, as was pointed out by Mr. Hynes just now, at a certain date, I have been excluded from the rules; I will amplify that a little further on. At the time I joined the service in 1872, I was well aware that the views of the Government of India were distinctly in favour of the more favourable leave rules being extended to all non-domiciled Europeans. Next, it is necessary that a number of appointments in the financial department should be reserved for Europeans. That is Mr. Westland's opinion, who is a very high authority on the matter. The Secretary of State sanctioned the organisation schemes of the department, under which only a certain percentage of posts are reserved for natives; therefore he tacitly acknowledged that Europeans were necessary for the financial department. Again, in the face of the stringent orders of the Secretary of State, the Government of India would never have appointed non-domiciled Europeans to any posts if those posts could have been held by natives. I therefore respectfully would point out that the majority of the appointments, in my department particularly, are not appointments which should be held by natives, and these, therefore, were not alluded to by the Secretary of State in his Despatch on the subject. The Secretary of State says: "I desire that it may be regarded as a general principle, not hereafter to be departed from, that all Europeans appointed in India to offices which could fitly be held by natives should receive no greater advantages of any kind, furlough of course included, than would be enjoyed by natives holding such posts or offices." I hold that my appointment, and the majority of the appointments in the financial department, are appointments that could not fitly be held by natives, and that therefore the leave and pension rules which are only suitable to the circumstances of natives should not be extended to us. Another point is this: I think I have mentioned, in stating my duties, that I should probably have

at

Mr. *King*—continued.

at a later period of my service, covenanted civilians serving under me. If so, these officers would be entitled to much more favourable leave and pension rules than the head of their own office, which would be a great anomaly. Another point is, that we are recruited from the same social class as civilians and other officers to whom more favourable leave rules have been extended. Presumably these rules were framed in the main with the object of giving an officer sufficient leave to enable him to keep in health. If so our rules, which are not sufficiently favourable in that respect, should be amended. And lastly, the effect of the Secretary of State's ruling in regard to non-domiciled Europeans of the uncovenanted service will be virtually to convert many of the sons of officers who have won and held India into natives of the country. If the rules are not altered, most of us will have to settle in India for life.

Mr. *Buchanan.*

364. As a matter of fact, is it not the case that more and more natives are being employed in your department?—They are.

365. And looking at it from a financial point of view, that would be a good thing, would it not?—Purely from a financial point of view, it would be a good thing.

366. Would it not also be a good thing from a political point of view, that as much as possible you should have Europeans and natives working together in the same service of the Crown?—Yes, but not under the same leave and pension rules.

367. Then I do not quite understand what it is that you contend for. You pointed out to us in the early part of your evidence that you were discharging responsible duties similar to those discharged by covenanted civil servants; do you claim to be put in the same position as the covenanted civil servants?—Certainly not. A covenanted civilian contributes for his pension, which I do not.

368. You do not claim to be put in the same position?—Not in regard to pension.

369. What is exactly the claim that you put forward with regard to pension?—I cannot claim anything at all; but I would ask that service for superannuation pension should be reduced to 25 years, inclusive of two or three years' furlough; the same as it is for the public works department, I think, and for other non-domiciled Europeans.

370. That is to say, 22 years' service in India?—Twenty-two years' service actually. A covenanted civilian has 21 years actual service.

371. You said that the maximum pensions in the rules, at the time you joined, were stated in sterling. Beyond that fact you had no reason to expect that your pension would be paid in sterling, had you?—I had no anticipation that a fall in exchange would take place.

372. But you admit that you have no legal claim?—No legal claim, certainly.

Mr. *Alfred Pease.*

373. You have mentioned changes in the rules. Can you give us an example in your department of any one having been deprived retrospectively of advantages by a subsequent alteration of the rules?—No, I cannot. I can give you an instance in the code itself, if you like, in which a change in the rules would operate hardly.

374. Would you do that?—At page 124 of the Civil Service Regulations, under the old rules, an officer retiring after 15 years' service would get one-third of his average emoluments; he would now get one-fourth only.

375. That is in your department?—Yes, that is in my department. No such case has ever occurred, but it may occur. And, moreover, if the Government did not intend to alter the rules as it pleased, there would be no object in retaining Sections 5, 6, and 7 of the Civil Service Regulations, in which the Government distinctly reserves its right of altering the rules at any time. If it did not intend to do so the existence of those sections would be superfluous.

Mr. *MacNeill.*

376. You were nominated in India by Sir Richard Temple, when he was Financial Member of the Governor General's Council, at 19 years of age?—Yes, at 19.

377. If you had been nominated by the Secretary of State, every hour from the time of your nomination would be counted as service for pension?—Not from the time of nomination.

378. From the time of really entering the service?—From the age of 22.

379. Do young men at 19 enter upon responsible duties?—Yes. In your previous question did you mean to say, service before the age of 22 would count?

380. Yes, if you were nominated in England?—No, it would not, in the financial department. It is only in certain other departments; the geological and certain others. I think the engineer and telegraph departments also have that privilege.

381. Is not the maximum pension in the uncovenanted service (we will call it roughly), 500 *l.* a year?—£. 500 a year it is.

382. What equivalent sums in sterling are you drawing now; something like 1,500 *l.*?—It depends at what rate of exchange you calculate it. At 2 *s.* a rupee I should be drawing 1,150 multiplied by 12; 115 *l.* multiplied by 12; that is over 1,300 *l.* a year.

383. And you hope to draw, I suppose, on promotion, a sum which would be equivalent to 2,500 *l.* a year?—£. 2,500 *l.* a year.

384. You then get only 500 *l.* a year pension, no matter what sum you draw?—Except for very exceptional service; you may get another 1,000 rupees; but I believe that is only granted in very extraordinary circumstances.

385 Whereas in the covenanted service a man who has fulfilled his full term gets 1,000 *l.* a year?—He gets 1,000 *l.* a year.

386. You talk of the non-regulation provinces; speaking roughly, the non-regulation provinces are provinces that have come under our administration after the Mutiny?—Yes, roughly speaking, after the Mutiny.

387. And these provinces are manned and officered largely by uncovenanted servants?—They are, but the present policy of the Govern-

Mr. *MacNeill*—continued.

ment is to supplant the uncovenanted and military agency by civilian, at all events in the Central Provinces.

388. So that sometimes gentlemen are appointed over your head who have not been in the province?—I do not belong to a particular province. Mine is a department of the Government of India. Junior covenanted civilians are frequently put over my head, merely by the fact of their being covenanted civilians, without having any experience of the department.

389. In the finance department of course you are less exposed to the climate than men of the engineers and telegraph departments; you are under cover?—No, I should say not; because owing to our sedentary lives our occupation is not so healthy as that of a man who lives an active life, like an engineer.

390. Is your experience the same as the experience of Mr. Hynes, that men have frequently deferred taking their furlough, inasmuch as their furlough would not be counted?—Frequently. I have done so myself.

391. Thereby endangering their health and their lives?—Certainly; every one has to do that. You calculate every time with great caution as to how it will affect your prospects. The tendency is to save up one's furlough really until one's health breaks down, and then, of course, one has to go.

392. In reference to actual service, you ask for less than the covenanted servants do?—I ask for less than the covenanted servants, certainly; two years less.

393. Two years less than the covenanted servants?—Yes.

394. You think it a strong point, no doubt, that the covenanted servants are paid for 21 years actual service 1,000 *l.* a year sterling?—Yes.

395. While you, no matter how high your post may be, or what salary you may draw, 5,000 *l.* or 6,000 *l.* a year, can only get 500 *l.* a year in the depreciated rupee?—Yes, with the reservation that covenanted civilians contribute towards their pensions.

396. But surely your salary could be counted in the deferred pay too?—Certainly; pension is deferred pay. That was enunciated by the Government of India in the codes.

397. When you joined in 1872, the rupee had a few years before been 2 *s.* 2 *d.*?—I believe it had.

398. And no chance of a decline?—There was no chance whatever. None of us ever anticipated the decline which has occurred.

399. It was considered practically 2 *s.*?—It was considered practically 2 *s.* That had been the official rate for many years.

Mr. *Barbour.*

400. In establishing your grievances, you seek to make them out mainly by reference to the conditions of the covenanted service on the one hand, and to the uncovenanted native servants on the other?—And other officers appointed by the Secretary of State; for instance, in the geological and telegraph departments.

Mr. *Barbour*—continued.

401. It is mainly by reference to the other services. We have had very little evidence from you or those who have gone before that the conditions under which you work are not fairly reasonable in themselves; that is to say, except by reference to the covenanted servants on the one hand, and the native servants on the other, we have had very little evidence to show that the conditions for leave and otherwise, pension, and so on, are not fairly reasonable. I should like, for my own part, to get some evidence to show that those are not sufficient?—Medical evidence would be the best on the point. Our contention is that we have to put in an unreasonable amount of service for pension and for leave. Our contention is based mainly upon grounds of health and expediency. It is in the interests of the Government that we should preserve our health to do our work efficiently. The rules do not give us enough leave to enable us to keep our health.

402. That is quite understood. My point is this, that we have had little evidence so far showing that the health of gentlemen in your service broke down, or anything pointing in that direction?—I think there can be no difficulty in getting that evidence. Any gentleman who has been in India will be able to give his opinion upon that. It can only be a matter of opinion, of course.

Chairman.

403. When you entered the service in Calcutta did you compete against Europeans only, or against Europeans and natives?—Against Europeans only.

404. You spoke of a prospectus under which you entered, did you not?—No, no prospectus.

405. What were the conditions held out to you at the time you joined; was there any prospectus?—Only the published Resolutions of the Government of India on the subject of the reorganisation of the financial department, and, of course, the codes which were in force at the time.

406. Were those Resolutions published officially in the Gazette?—I think they were. I am almost sure they were, in fact.

407. Did those Resolutions speak of the pension in sterling or in rupees?—No mention was made, I believe, of that. We simply relied upon the Civil Pension Code.

408. Then at the time you joined, your expectation of pension I understand was based upon the Civil Pension Code, that is the Code of 1862?—Yes, the code then in force.

Mr. *MacNeill.*

409. That code spoke of pensions in pounds sterling?—The maxima were stated in sterling.

10 *July* 1890.

Mr. FRANCIS CARNAC BARNES, called in; and Examined.

Chairman.

410. YOU belong to the same financial department as the last witness, do you not?—I was originally appointed to that department. I am not in it now.

411. What department are you now in?—I hold the appointment of Superintendent of Stamps and Stationery in Calcutta.

412. What age were you when you were originally appointed?—Twenty-one, but I went out at 19.

413. Did you obtain your office by competition?—Yes.

414. In the same way as the last witness?—Except that I competed with natives.

415. You competed with natives?—Yes.

416. How many did you compete with?—There were two appointments and six nominees. I think there were two natives; I am not certain; at any rate there was one; and he passed with me.

417. One native was successful?—Yes.

418. You have been listening to the evidence given by the last witness, have you not?—Yes. May I begin in the same way that Mr. Carnac did with regard to my own personal point?

419. Yes; we should like to know what your present position is?—I am the son of a Bengal civilian. My family have been connected with India for many generations. I went out to India with the prospect of an appointment in the Assam Commission.

420. Perhaps you will tell the Committee where you were educated?—I was educated at Winchester College.

Mr. *Bristowe.*

421. Winchester School, is it not?—Yes, Winchester School or College. Of course, the Committee may not perhaps understand exactly what the Assam Commission is. The Assam Commission is the Civil Service in the province of Assam, which, being a non-regulation province, is not under the same rules and conditions as the settled provinces.

Mr. *Barbour.*

422. Who made the promise?—The patronage was in the hands of the Lieutenant Governor of Bengal, and I was led to believe that if I went out I should be given the appointment. That was the reason I went out so young.

Chairman.

423. Who was the Lieutenant Governor at that time?—Sir William Grey. When I arrived in India I found I was debarred from the appointment to this Commission by the recent ruling of the Secretary of State, which decided that no uncovenanted men should be appointed to the Commission. Officers of the staff corps might be appointed.

424. You found you could not get the appointment you expected?—Yes. Then I applied for a nomination for the financial department, and obtained it, and went up. That is how I entered the service of the Government.

Chairman—continued.

425. When did you leave the financial department?—About three years ago; but previous to that I held the appointment of private secretary to the Lieutenant Governor of Bengal for five years.

426. Which Lieutenant Governor?—Sir Rivers Thompson.

427. I do not want you to go through everything which the previous witness has said, but to supplement what he has said by any additional observations you have to make of your own?—In regard to the service under 22, my impression is that the limit was intentionally fixed when the full period of service was reduced from 35 to 30 years. Its alteration was refused in 1865 on the ground that otherwise natives would be able to retire at too early an age, and that Europeans did not generally enter the service before 22. By a later change, service before 22 is allowed to count in the very exceptional cases of men appointed so young from England. I believe that is the case. That being the case, it seems hard to apply a rule against Europeans appointed in India which was originally framed to meet the case of natives only. The fact is that Europeans are often appointed in India below the age of 22. The ground on which the Secretary of State refused to reconsider the question was, that the appointment of Europeans in India before the age of 22 was exceptional.

428. Is there any other point upon which you wish to speak?—I was debarred just in the same way as Mr. Carnac from the benefit of the more favourable leave rules, and as in the case of the first witness.

429. By not having, when the benefit of the more favourable leave rules was given, the qualifying rate of salary?—Yes; I do not think it has been altogether brought out in what ways we suffer from those rules.

430. Will you tell the Committee in what way you suffer?—One way is this: At page 89 of the Civil Service Regulations it says: furlough may be granted as follows: after 10 years' service, one year or less period; after 18 years' service, two years or less period. We can only take one year at a time, or two years. We are not allowed to take it in instalments. After 10 years' service I am entitled to one year; if I take six months then I practically forfeit the other six months, because I must wait eight years for it.

431. Is that stated in the case?—I do not think so.

Mr. *King.*

432. You mean that you cannot get the other six months at any other time?—No; I mean I must serve eight years more for it.

433. Yet you may not be able to afford to take more than six months at the time?—Yes.

Mr. *MacNeill.*

434. Surely you do not mean to say that the six months counts as a year against your active work?

Mr. *MacNeill*—continued.

work?—No; it does not count as a year out of my active work; but I have to serve another eight years before I can get further furlough.

Chairman.

435. When you have served another eight years you get not eighteen months, but only a year's leave?—Yes. My contention is, that during that eight years I cannot take the six months' leave although I have earned it.

436. Is there any other point you wish to mention to the Committee?—I think it is a hardship that a European, under native rules, should be made to reside 30 years in India; that because he is classed as a native he is compelled to serve really some years longer than a native, because having a European constitution he cannot dispense with furlough.

Mr. *King.*

437. You mean that a native has one month's privilege leave in each year?—Yes. The records will show that a native very seldom takes furlough.

438. He takes his month's privilege leave?—His month's privilege leave, or short furlough in India.

439. When you entered the service the rules of 1876 were not in existence?—No.

440. The question of leave rules at the time you entered was under the consideration of the Secretary of State?—Yes.

441. And it was not until February 876 that you were debarred by a fresh ruling from the more favourable rules?—Quite so; I had reason to believe, in fact it was well known, that the Government of India were endeavouring to obtain more favourable leave rules for us at the time. The men who joined the Financial Department before the competition system of recruitment was introduced obtained those rules.

Mr. *Alfred Pease.*

442. I should like to know if you have any example of the operation retrospectively of the rules that you can give, any specific case where a change in the rules has acted unfavourably?—I believe there are cases; I cannot quote them.

Mr. *MacNeill.*

443. Is it a fact that the appointments in India of young men before the age of 22 are exceptional?—No.

444. In the uncovenanted service before the age of 22, is it so?—No, I do not think they are exceptional.

445. Is not this quite natural; that the appointments are generally made of the sons of civilians, and that their fathers generally bring them out at 18 or 19 to get these appointments?—Very often.

Mr. *MacNeill*—continued.

446. In your department then a gentleman who has the accident of being appointed in India must serve three years more than the gentleman who is appointed in England by the Secretary of State?—Yes; I believe if an officer is appointed before 22 by the Secretary of State his service is allowed to count.

447. Would not you say it was more the rule to appoint boys fresh from school at 18 or 19, they going out to India at once. If they are the sons of civilians belonging to old Indian families, the rule is to appoint them at once as as early as they can be appointed, is it not?—Yes; it is the object of the Government of India to obtain their services. In regard to the Financial Department it was, I think, stated in a Resolution that the Government wished to obtain as candidates the sons of Indian officers.

448. Therefore that memorandum was made under a misapprehension, was it not?—Yes, I think so.

Chairman.

449. You say that at the time you were a successful candidate for an appointment, a native also succeeded?—Yes.

450. What has become of that native?—He is now in the financial department.

451. What position does he hold in the financial department?—I think he is a deputy accountant general. I believe that under the regulation of the constitution of the financial department it is necessary that a certain proportion should be natives.

452. In your particular department are natives employed?—My appointment is not a department; it is a special appointment.

453. It is an exceptional appointment?—Yes.

454. What is it?—It is Superintendent of Stamps and Stationery.

455. Is that an office which must be held by a European?—Yes; it has generally been held by a covenanted civilian. In Bombay and Madras the office is not quite so large, therefore it is amalgamated with other appointments, and the whole office is under the charge of a civilian.

Mr. *MacNeill.*

456. Would not you practically class it with a department. It would bring you closely into connection with finance ministers and officials, would it not?—Not exactly. I am the head of a large and important office which may in a sense be considered a department; but it is not a graded department like the Financial, Forest, Political, and others.

Mr. GEORGE MARSTON DRURY, called in; and Examined.

Chairman.

457. WILL you tell the Committee when you entered the service of the Government of India?—I entered the service on the 28th of January 1878.

458. How did you get your appointment?—I was appointed by Sir Ashley Eden, Lieutenant Governor of Bengal.

459. By nomination?—By nomination.

Chairman—continued.

460. Without any competitive examination?—In my particular appointment there could have been no examination, because there was no one in Government service competent to examine me.

461. What was your first appointment?—Traffic superintendent upon a new line of railway, 196 miles in length.

462. What age were you when you were so appointed?—

Chairman—continued.

appointed?—I was born in 1842, and it was in 1878 that I was appointed.

463. That would make you 36 years of age at that time, would it not?—Yes, 36 years.

464. Were you resident in India at the time of your appointment?—Yes; I had been in the service of the East India Railway for 13 years, and I was induced to leave the service of that railway to join the Government.

465. Up to that time you had been in the service of the East India Railway Company?—Yes, up to that time.

466. Did you join under any covenant or agreement?—No; no covenant. I had previously been offered an appointment by the consulting engineer, Colonel Taylor, which I had declined, and I was told of this appointment by Colonel Taylor. I was told that the appointment was going, and that I might apply for it. I applied for it and obtained it.

467. What are your duties now?—Traffic superintendent.

468. At the present moment are you still in the service?—At the present moment, Since I have been home on sick leave, under a new cadre, I have been graded as a district traffic superintendent, although my pay has not been reduced. I have been brought under a grade, at a reduced rate of 950 rupees; but I am drawing 1,000 a month. To make that up, they have given me a personal allowance of 50 rupees a month; I have held independent charge of the Northern Bengal, Tirhoot, and Eastern Bengal system of State railways.

469. You are now at home on sick leave?—At the present moment I am on special leave. I was home on sick leave, and the Government of India wrote and said that my services were surplus, and that I might be offered special leave. I was therefore compelled under a threat of my services being dispensed with, to take the year's special leave, although I had been home on half pay, with the exchange at 1 *s.* 4½ *d.*, for a year and six months on sick leave.

470. Will you now tell the Committee what you have to add to the evidence which they have heard this morning upon the various points in the printed case?—My evidence, of course, refers to the branch to which I belong, the traffic branch. The particular grievances of the men that I represent are, first, that they were induced to leave the different guaranteed lines of railway, where all their furlough allowances were paid at the rate of 1 *s.* 10 *d.* They were induced to leave the service of these railways, having already earned leave, or at least some of them had. In my particular case I had earned furlough, which, by leaving the East Indian Railway to join the Government, I lost. After joining the Government service, I found it was necessary for me to put in another ten years before I could earn leave out of the country, having earned leave on the East India Railway not a day of which was allowed to count.

471. Do you mean that any representations which were made to you, and men like you, on joining, were not fulfilled?—No; I cannot say they were not fulfilled; but we joined under the code, and I was under the impression when I joined that I came under what we call the Civil leave and Pension Code and not Supplement F. That is, I thought I came under the European rules. I was led to that conclusion by the fact that the appointment that I was to fill was one of those appointments that required the sanction of the Secretary of State, and I was under the impression that my appointment, requiring the sanction of the Secretary of State, brought me under the same rules as those who were appointed by the Secretary of State; and I may mention that Mr. Rendell, who left the service of the East India Railway Company with me to take up the duties of the locomotive department, in accepting his appointment, wrote to the Government of Bengal, and said that he accepted his appointment on the condition that he should be classed as if appointed by the Secretary of State. He never received any reply to that letter, but he was gazetted. After being gazetted, he was told that he came under Supplement F.

472. Will you follow the same order that the other witnesses have done, and first tell us anything you have to say, in addition to what has been already said, on the subject of exchange and the loss that you incur through exchange?—Yes. In my particular case, and the case of those officers who left the guaranteed lines, the hardship is rather accentuated, because we left a service where all home payments are made at a fixed rate of exchange of 1 *s.* 10 *d.*

473. Was that the rate of exchange at the time you left?—That is a fixed rate of exchange on the East India Railway in the case of all home payments to their servants. That is their rate now.

474. Do they make that payment still?—Yes. I will not be certain whether since the line has been taken over by Government, it is so, but up to the time the Government took over the East India Railway, that was the rate at which they paid their servants, and I think it is so now.

475. Is that all you have to say on the subject of exchange?—No.

476. I assume you to repeat everything that has been said by the previous witnesses?—Yes.

477. Have you anything to say in addition to what has been said already?—There is one other point. To show how necessary it is that some rate of exchange should be fixed between the Government and its servants I should mention I am now in receipt of my pay at the rate of 1 *s.* 5 *d.*, the public rate being nearly 1 *s.* 6½ *d.*, so that the Government are actually making a profit out of me.

478. The Government official rate is 1 *s.* 5 *d.*, is it not?—The Government official rate is 1 *s.* 5 *d.*, the public rate is nearly 1 *s.* 6½ *d.*, so that they are actually making a profit out of my being at home, that is to say they are paying me at a less rate than the market value of my pay. I mention that as showing how necessary it is not to pay servants in a fluctuating currency.

479. That is your furlough pay that they are paying at that rate?—Yes, my furlough pay.

480. The Government would always pay at this fixed official rate whether the market rate was above or below it, would they not? During the present year they would pay your furlough pay at 1 *s.* 5 *d.* if the rupee had gone down to 1 *s.* 3 *d.*?—Certainly they would; but it is rather

Chairman—continued.

rather a coincidence that they always seem to fix on the minimum.

Mr. *Barbour.*

481. Could you not receive your furlough pay, if you thought fit, in India, and have it remitted to you, privately by a bank, or an agent?—I am not sure whether that could be done. I presume it could. If a man goes away on leave, knowing that he is going to receive his pay in England, he makes no arrangement of that kind.

Chairman.

482. Have you anything to say upon the second point; that is the alteration of the rules with *ex-post facto* effect, so as to prejudice rights which have already accrued?—No, I have nothing to say on that point except this: the case has not occurred to me, but I know there are cases which I suppose other witnesses will bring before the Committee. It seems that those three paragraphs (Articles 5, 6, and 7) that appear in the code are held over the heads of the service, creating a feeling of uncertainty amongst the servants in the uncovenanted service, and they do not know their position. I believe Sir John Gorst at the first examination repudiated the idea of the Secretary of State ever altering the rules in such a way as to injure a person after his having been in the service and earned a right, we will say, to a pension; that is to say, he would not alter a rule so as to reduce his pension, he having worked a certain number of years and earned a right as it were to a pension; but these three paragraphs in the code certainly give the power for that to be done.

483. What I said the other day was that I repudiated on behalf of the Secretary of State any intention or any design so to use the code as to divest a man of rights which had accrued to him. The answer you make to that is, True, but the language of the code would allow it?—The language of the code would allow it, and these three paragraphs in the code are a source of great anxiety and dread.

484. You go further, and say that the language of the code causes apprehension?—Yes, that is it.

485. Have you anything to say upon the length of service which ought to entitle you to pension?—Yes, I have something to say on that point. I think the members of the Committee will admit that railway service is a service that is very trying to a man's health, even in England. That is much more the case in India. On an English railway the traffic manager, or, as he is called in India, traffic superintendent, has a trained staff of Europeans upon which he can depend; at any rate he can depend upon their exercising a discretion, and it relieves him to a very great extent of so much of the responsibility. All that is thrown upon the traffic superintendent in India. In India the staff is almost entirely composed of natives; they are men that very little reliance can be placed upon; they are men who can only act up to rule. You cannot place any dependence upon them in the way of exercising discretion. You have to work there, say a very long length of railway on a single line of rail, which increases

Chairman—continued.

the risk of the work and the anxiety of working tremendously, and all that falls in India on the traffic superintendent. I personally, as the traffic superintendent, am receiving telegrams all night, and I can say that no criminal can feel on his release greater relief than a traffic superintendent does when he gets on board ship, and knows he cannot receive a telegram.

Mr. *Barbour.*

486. Do you receive telegrams all through the night?—Yes, all through the night.

487. Are they brought to you personally?—Brought to me personally.

488. During the 24 hours?—Only certain messages that do not require immediate attention are kept and put on my office table in the morning. All telegrams requiring orders to be given are received by me all night long.

489. Do you mean to say that you have no deputy who can act while you are sleeping?—It is the rule that all telegrams of a certain kind should go to the traffic superintendent; and in the case of an accident or anything of that sort, the traffic superintendent is supposed to issue his orders.

490. One night with another these telegrams are always coming in?—Always coming in.

Mr. *Bristowe.*

491. What is about the average number of telegrams you might get between 12 at night and 6 in the morning?—Some nights I might not receive a single message, other nights I receive several; and on some occasions I have been simply up all night receiving messages.

492. That would be a special time?—That would be a special time.

493. In the ordinary course, what would be about the number?—In the ordinary course, I should say I might receive a couple of messages a night; that is in the ordinary way. But as I say, on special occasions, such as in the case of an accident, where orders have to be issued for clearing the line and passing the traffic, I should have to be up all night.

Chairman.

494. You say that your work is exhausting and anxious, and that you require further furlough?—Most exhausting and anxious; and to show the honourable members of the Committee that it is so, I may mention that the Government of India have sanctioned for the subordinate grades a more liberal scale of leave than they have sanctioned for any other branch of the service.

495. You mean the subordinate grades of the railway branch?—The subordinate grades of the railway branch.

496. Does not that reach up to the higher grades?—No; it is with reference to sick leave; and not only that, but the leave rules of the East India Railway, which were always fairly liberal, have been made (or were made some years ago) still more liberal. The leave rules of the East India Railway (the services I left to join the Government service) are that you get one year in seven years' service, and after seven

years

Chairman—continued.

years' service, you are allowed the opportunity of taking one hot season out of the country every three years; that is six months every three years. Those are the leave rules I left to join the Government.

497. May I take it that the leave rules of the East India Railway Company were more favourable than the leave rules of the Government?—Much more favourable than in the uncovenanted branch of the service.

498. Does that apply to all the railway companies in India generally?—I believe the same rules did apply on the Scinde, Punjab, and Delhi, and do on the great India Peninsular Railway?—I think so.

499. What have you got to say, in addition to what has been said already, with reference to service before 22 years of age counting for pension?—That does not affect me; I think the appointments of Europeans before the age of 22 are exceptional appointments.

500. I suppose in your particular department it is very seldom a man would be appointed before 22?—We should have the subordinates appointed before 22; native station-masters and assistants.

501. Native station-masters and assistants, but no Europeans?—No, no European.

502. No European would be generally appointed before 22?—We might put poor Europeans on as guards before the age of 22.

503. I suppose I am right in thinking that the subordinate departments are almost exclusively held by natives?—Not always. It is considered necessary the mail train should be worked by European guards and by European drivers. The Government are bringing in natives in every possible way they can. We use native guards for most of the goods trains, and we run the mixed trains with one European and one native guard.

504. Upon the point that furlough does not count towards your pension, what have you to say. Is not that really a branch of the question of the length of service which should count for pension?—I think it is. In my particular case it seems very hard, having put in my service on the East India Railway (13 years) and earned my furlough there, that when I joined the Government, no portion of my service on the railway was allowed to count with the Government for leave. I came in entirely as an outsider, and had to earn leave by a service of 10 years. Of course I could not put that forward as a grievance. I knew what I was doing when I entered the service, and put up with the consequence when I found I came under Supplement F.; but subsequently the Government on taking over the Scinde, Punjab, and Delhi, and other railways, allowed the servants to count their service as service towards leave. In my case I was taken over by the Government as it were from the East India Railway. It was not a case of my being out of an appointment, and glad to accept the first thing that came. I was in a very good appointment on the East India Railway, and I undertook the responsible duties of opening a new line of 196 miles at an increase of pay of less than 100 rupees a month. I was getting 400

Chairman—continued.

on the East Indian Railway. My provident fund brought me in about 60 rupees a month, and I joined the Government service on 500 a month to open the Northern Bengal State Railway.

505. Will you be entitled to retire on your pension, at the age of 55?—Yes, at the age of 55; having joined the Government as a new hand, as I say, I could not complain, inasmuch as I had done so without making due inquiry, and had accepted the appointment; but where the hardship comes in is that the men who were taken over in a body, and who, so to speak, had all to gain and nothing to lose by joining the Government service (that is to say, if they had not joined they would have been out of an appointment), were all allowed to count their service as service towards leave. In my case it was refused. I was made to work 10 years, and in doing so broke down in health, and was sent home with abscess of the liver. I quote this as a reason why the action taken is a special hardship to me; one set of men, who were taken over in a body, were allowed to count their service with the railway toward leave, while I was not.

Mr. *King*.

506. Your case is not exceptional, is it; Mr. Rendell was taken over, was he not?—It is not exceptional. I have a list of the traffic officers taken over from the different lines besides myself; I only have the list of traffic officers that were taken over, not the locomotive officers. There are nine at present in the service. These were all taken over from guaranteed lines, and are exactly in the same position as myself.

Chairman.

507. In your department are Asiatics and Europeans on exactly the same leave and pension rules?—Yes, exactly the same pension rules.

508. Do you consider a distinction can or ought to be made between them?—Most certainly; I think a distinction can and ought to be drawn. I do not think a European's constitution would enable him to do the particular sort of work that a man in the railway service is called upon to do on the same leave as a native.

509. Is your appointment one which could be held by a native?—I do not think a native could possibly fill it.

510. Are there any instances in India of native traffic superintendents?—There is one instance on record of a native being appointed to a line that had been opened, I must impress upon the Committee that my particular work was the opening of a new line of 196 miles. When once a line is set going, when the ball is kicked and set rolling, a native for a time might carry on the work. I would not undertake to say it could not be done, because a native on one occasion did hold charge of a line; but it was found by Sir Ashley Eden, on inquiry, that the work was not being satisfactorily done, I believe, and the native I speak of has since, I think, been retired on pension.

511. Then, so far as you know, all the traffic superintendents in India are Europeans?—Absolutely all the traffic superintendents in India now are Europeans.

Mr. *King.*

512. When you retire at the age of 55, what pension will you be entitled to?—Having joined the Government service at the age of 36 years and six months, I shall at the age of 55 have put in 19½ years' service. Out of this period, three years and two months' sick leave, which I have been compelled to take (some portion on half pay, some on quarter pay, and some without pay) owing to a serious illness brought on in the discharge of my duties, will be deducted, making my pensionable service 16 years and four months. I should therefore, I believe, receive $\frac{16}{60}$ of my average pay (1,000 rupees a month) for the last five years of my service, or 3,200 rupees a year, which, at the present official rate of exchange, would give me 226 *l.* 13 *s.* 4 *d.* per annum. This amount however, being the maximum, would I understand be subject, at the discretion of the Government, to further reduction, as maxima pensions are only paid for extraordinary service, *vide* Sir Charles Wood's Despatch, No. 205, of 8th December 1862. I am therefore in doubt as to whether I should receive even this small recompense for my 32½ years' service, 13 years of which was spent on the East Indian Railway, a Government guaranteed line, and therefore a semi-Government service, and 19½ years direct under the Government of India.

513. In the East Indian Railway Service there were no pensions, were there?—No; but there is an equivalent, a provident fund, which is far better than the Government pension to which I am entitled.

514. Did you forfeit that?—I forfeited all interest in that when I joined the Government of India.

515. And of course the pension, whatever it was, was a matter of consequence to you when you entered; it was one of the inducements?—It was one of the inducements.

516. You say the provident fund that you forfeited in the East Indian Railway was better than the Government pension?—It was in those days. I believe it has since been altered. It was found that some members were making too much out of it, in fact that it was too liberal.

Mr. *Barbour.*

517. Where does the provident fund come from, is it from the wages or what?—It is a mixture of both. The *employés* pay a certain percentage out of their salary, and the company give a certain donation when the profits are over a certain percentage.

Mr. *King.*

518. And *pari passu*, I think I am correct in saying that the salaries of the railway companies servants are higher than the salaries of the Government *employés*?—Most certainly. For doing what I did at 500 a month, had it been for a railway company I should have been drawing, say, 1,000 a month. I was in a subordinate position on the East Indian Railway on 400 rupees a month.

519. What I mean to bring out is this, that although they partially contributed toward that fund, it is the same thing whether a man contributes from his pay, or has less pay, and the Government subsequently give it to him as pension?—Yes, certainly that is so.

Mr. *King*—continued.

520. Did you mean just now that your pension is dependent upon the profits made by the railway?—My provident fund was dependent upon the profits.

521. Did not you mean that the contribution which the railway company made to the provident fund was contingent upon the profits?—Yes, certainly. The principle of the fund was to induce economy in working.

Mr. *Buchanan.*

522. You left the service of the East Indion Railway, and joined the Government service because you expected to get, and did get, a better salary; did you not?—Yes, that was my reason, not so much the salary at the time I joined, but the prospect of quicker promotion.

523. And the prospect of getting a pension too?—Yes.

524. You spoke about the officials of the Scinde, Punjab, and Delhi, and other lines being taken over by the Government, and that when they were taken over by the Government the servants got the benefit of the furlough that they had earned; that was subsequent to your time, was it?—That was subsequent to the time I was engaged.

525. That was when the whole railway was taken over by the Government?—That was when the whole railway was taken over by the Government.

526. As I understand, you as a private individual left the service of the East Indian Railway to take service with the Government?—Yes.

Mr. *Bristowe.*

527. I should like to ask whether, in consequence of the fall in the rupee, and the way it affects pensions and pay generally, there is any considerable falling-off of candidates for the Indian Service in the railways or other Civil Service departments?—I can only give you my opinion. I think that in time it will have the effect of lowering the status of the Railway Service.

528. But, up to now, you are not aware of any falling-off in the number of candidates in the service of India and the Civil Service, are you?—No.

Mr. *Buchanan.*

529. One question I want to ask you on another subject; as I understand, in the case of the East Indian Railway Company, the furlough pay was fixed at the rate of 1*s.* 10*d.* the rupee?—Yes.

530. Does that apply to the other case of the guaranteed railways?—I believe it is the case with all the principal guaranteed lines in India; the Great Indian Peninsular and the East Indian Railway, which are the two main guaranteed railways now.

Mr. *Bristowe.*

531. It was part of the agreement made at the time of entering the Service, was it not?—It applied to men appointed in India as well as to men sent out by the board of directors in London.

532. It is part of the agreement?—Yes; but it is the same throughout the Service.

533. So

Mr. *MacNeill.*

533. So far as the higher and more responsible officers on railways are concerned, I understand you to say the natives are rather incompetent yet to fill them?—I do not think natives will ever be able to fill those appointments.

534. They have not the necessary skill and self-control, you think?—There is something about a native which in my opinion totally unfits him for such duties. I think this will be admitted by the Government of India.

535. At present, at all events, your department must be considered a European department?—It must be, and I think for all time it will be absolutely necessary. There are reasons given, I believe, by the Government of India why it is extremely necessary. I cannot put this in as evidence, but I believe it is considered by the Government of India imperative that the lines of railway shall be officered by Europeans for military reasons.

Mr. *Barbour.*

536. I think you said you joined the Government service in 1878?—Yes, in January 1878.

537. At that time the rupee had been on the move downward?—It had.

538. Then your grievance in the matter of this exchange would not be so strong as that of those who joined perhaps eight or 10 years before?—Perhaps not. I may explain that I am a man without a covenant, and I joined on the implied covenant in the Code; and all reference in the Codes to Furlough pay was in sterling.

539. Sterling and rupees, so far as we have seen?—It was shown in the Code that 10 rupees were equivalent to the pound sterling.

540. We were shown a contract last time, in which, of course, reference was made to the salary, and reference also was made to the rupee,

Mr. *Barbour*—continued.

but nothing whatever was said to bind the Government to any particular rate of exchange?—We admit we have no legal claim.

541. Of course, by 1878, it had become apparent then that the rupee was not always two shillings, and it might even go further down?—Yes, but the East Indian Railway was still paying its servants at 1 *s.* 10 *d.*

Mr. *King.*

542. There are immense opportunities for exercising economy where zeal is cultivated and practised, and encouraged, is not there, on railways; I mean the difference between a contented and a discontented service may make a very great difference?—Certainly; and not only that, but the expenditure is beyond the control of the financial department. I think it is the only department where the expenditure cannot be controlled. For instance, the settling of all claims is in the hands of the traffic superintendent.

543. This is all I want; you said the East Indian Railway Company, in order to encourage efficiency and economy, made their contribution to the pension fund dependent upon the results of the working?—Yes, certainly.

544. A similar practice must have that effect in the case of the Government railways, must it not?—Most certainly.

Mr. *MacNeill.*

545. I suppose, with the sole exception of irrigation works, nothing is so conducive to the prosperity of the Indian people as a line of railway?—Nothing has ever been done for India that has so tended to civilise and improve it as railways, nothing. No sooner does a line of railway run through a district than the whole character of the people and country is changed.

Mr. GEORGE O'DONNELL, called in; and Examined.

Chairman.

546. WHEN did you enter the service of the Government of India, or rather, the Company's service?—On the 18th April 1849.

547. How did you get your appointment?—Perhaps it would facilitate the case if I state at once that I went to India as a private soldier in the Company's service.

548. In the East India Company's service?—In the East India Company's service. I went to Roorki College; I passed an engineering course of training there, and passed out with high honours into the public works, and whilst in the public works, and a soldier, I served for about four or five years. I was then selected by Dr. O'Shaughnessy, who was the head of the Telegraph Department, to assist him in the first starting of the organisation of the telegraphs in India. I was then appointed to a fairly important office in the Telegraph Department, and when there I was called upon by the Indian Government to purchase my discharge from the Army, as I was in a position that a non-commissioned

Chairman—continued.

officer was not entitled to hold, and the question was placed before the Commander-in-Chief whether I should not have a commission in the army. However I elected to go into the Civil Service. In consequence of that it became a question of pension I was then under the old rules (so many years ago this was) of 1831, and they satisfied me at the time.

549. When you went to the Roorki College was that a voluntary act on your part?—It was a voluntary act.

550. Did you pay your own expenses there?—No, being a soldier, Government paid for me.

551. They were at that time encouraging soldiers to go to Roorki College?—At that time. I may say I only owe to Roorki my technical training; I may call it my professional training; my education was English.

552. I may take it that it was in 1849 that you had completed your technical training at Roorki College, and entered the Civil Service of the Government?—Yes.

553. Having

Chairman—continued.

553. Having previously been a military servant of the East India Company?—That is so.

554. The appointment was given you as the result of the examinations you underwent at Roorki College?—Partly that, and also on the decision of Sir William O'Shaughnessy (then Dr. O'Shaughnessy), as to my scientific capabilities, knowledge of electricity, and other technical subjects.

555. Were the students at Roorki College at that time exclusively Europeons?—They were exclusively Europeans at that time.

556. I do not want to ask you to go through all the statements which have been made to-day by previous witnesses, but I will invite you to add anything you wish upon the various points in the printed case. First, with regard to the loss by exchange, have you anything to add to what has already been said upon that subject?—If I may be permitted I would wish particularly to traverse the statements which have been made rather largely that Europeans appointed in India are on a par in any way with natives, and are not entitled to the same position as Europeans appointed by the Secretary of State to the Civil Service in India.

557. That is rather the last point than the first; however, take it in your own order?—I do not take it up with reference to the case that is before you, but in consequence of what I heard stated by yourself in that chair at the last meeting of the Select Committee. Upon that I concluded it would be well to show that officers appointed in India are not on a par necessarily, by a very long way, with natives. I am afraid in illustrating this it will be necessary to be a little egotistical; but if you will pardon me I will just run through a rapid statement of my services which, I think will satisfy you when you have heard it, are services that no native, Hindoo, or Mahomedan would have been competent at that time to render to the Government of India. I joined the Telegraph Department on the 22nd September 1854, my services having been applied for by Dr. O'Shaughnessy, the Superintendent, as the head of the Department was then designated. In 1855, Dr. O'Shaughnessy conveyed to me the thanks of the Government of India for my promptness and energy in completing the telegraph to Peshawur, at the close of Lord Dalhousie's administration. I may inform you, Sir, that Lord Dalhousie delayed his return to England from his administration of India in order that he might be able to add the last clause to his Report, that he had extended the last result of civilisation to the end of the British Empire, namely, the opening of the telegraph to Peshawur. General Sir James Outram brought my services and those of my subordinates to the favourable notice of the Governor General for the way in which the field line was erected, and maintained with the Army of Occupation in Oudh in 1855; and in recognition thereof, I was thanked in the Government Gazette, and an extra month's pay was sanctioned to my party. I was appointed Deputy Superintendent in Bengal, the second highest position in the Department as then constituted; and on the departure of Dr. O'Shaughnessy for England in 1856, he officially represented my services to the Government in the highest possible terms; Colonel Patrick Stewart, the subsequent officiating chief of the Department, repeatedly brought my services to notice during the mutinies, and whilst he was engaged in the Fort at Benares (where I may casually remark he was shut up), I held charge of the Department myself, and, under instructions from Lord Canning, conducted a successful expedition from Calcutta up the Grand Trunk Road, through the midst of the disaffected districts, past moving bodies of troops in open mutiny, and repaired the lines and reopened the telegraph offices between Raneegunj and the North-West Provinces. Consequent on my arrangements, postal and telegraphic communication above Raneegun, which had been cut off for eight days, was restored, and Sir Cecil Beadon telegraphed to me the cordial thanks of Lord Canning for what I had accomplished. Subsequently my services were brought to the notice of Lord Stanley, then Secretary of State for India, and acknowledged with approval, in his Despatch, No. 3, dated 30th November 1858. After the suppression of the mutinies (during which I may mention that I was under fire many times), I served for over nine years in British Burma, and was equally successful in conducting the work of the Telegraph Department to the satisfaction of the Government and of my own chief. Of this fact I am prepared to offer proofs. On the 14th December 1866, on a reorganisation of the Department, I was appointed a first grade superintendent on 1,200 rupees a month, rising by annual increments of 50 rupees a month, to 1,500 rupees. My service ended on the 31st August 1877 when I attained the age of 55 years. This is scarcely the record of a service that can be classed with that of any Asiatic; or that is not entitled to the privileges of the most favoured of any class of the Uncovenated Civil Service of India, no matter by whom appointed. That is my evidence with reference to the first point which I have asked to be allowed to take up, that is, the fact that Europeans appointed in India are not necessarily, or indeed in a good many instances, merely holding appointments which might have been held by Asiatics. I contend that no Asiatic would have gone through a service like that. Before I take up the other point, perhaps you may like to ask me any questions upon it.

558. No, I do not think I have any question to ask upon that?—Then as to my title to be dealt with for the matter of pension, I am now on pension of course and have nothing to do with leave or other rules of that kind; but as to my title to be dealt with on matters of pension under the rules of 1831, I am one of those who signed a memorial to Lord Cross, dated the 31st October 1888. To this memorial an answer was written from the India Office which bears your signature, Sir.

559. That is the memorial and answer whic was put in on Tuesday by Mr. Jenkins?—Yes, I will not say more about it than that, if you wi allow me to comment upon what was then said.

560. Certainly?

Chairman—continued.

560. Certainly?—I can say that I was never asked if I would prefer to be placed under any other set of rules or code than that which was in force at the time at which I entered the service, namely, the 18th April 1849. I have had only two periods of leave out of India; those were for 20 months from March 1869, and for 12 months from September 1876, both on urgent medical certificate, and I am not at all aware that the conditions for sick leave under the old rules and under the codes differ. If they do, I was not informed of the fact, and I do not know it now. I have also had eight months' privilege leave in all my service. This constitutes the entire leave that I have had during my Indian service. Now it is not conceivable that I would knowingly have bartered after 1869, when I was a first grade superintendent, drawing a high salary, my prospects under the Rules of 1831, which I consider entitle me to expect half my average salary for the last five years of my service, for what is promised in the codes; in other words, to give up 9,000 rupees or 900 *l.* a year, and accept 5,000 rupees instead, for any consideration that any subsequent code or regulation could offer me. What could be an equivalent under such a prospect as that? If such really happened, it must have been due to sheer ignorance on my part, against which, I submit, I ought to have been protected. That, Sir, is my comment on this memorial and the answer of the India Office to it.

Mr. *King.*

561. When you entered the service in 1849 the rules of 1831 were in force?—That is so.

562. Those rules were subsequently modified by the Court of Directors of the Company in 1854 or 1855?—Certainly, 1854.

563. They stated that after a certain date in May 1855, all who, after that date, entered the service were to have their pensions limited to 5,000 rupees per annum, or 500 *l.*, they stated, for certain services, and 400 *l.* if for less?—Yes, it was so.

564. And they expressly, in that Despatch, reserved the rights of those who entered prior to that date?—That is so.

565. Subsequently the Government of India was taken over by the Crown?—Yes.

566. And in the Act which took over the Government of India, they reserved the rights of all the servants of the Company?—That is so, so I understood it.

567. And under the rules of 1831 you were entitled, or you conceived yourself to be entitled, to one-half the pay you were drawing on the average of the five preceding years when you retired?—So I understood it.

568. That is your case?—That is my case.

Mr. *Buchanan.*

569. Just in supplement of the last question Mr. King asked you, what is the difference between what you now get, and what you consider yourself entitled to get under the rules of 1831?—The difference is between 5,000 rupees at the rate of exchange (what I am now drawing) and 900 *l.*; the difference between 354 *l.* 3 *s.* 4 *d.* and 900 *l.*

Mr. *Buchanan*—continued.

570. Do you consider yourself entitled under the rules of 1831 to get your pension paid in pounds sterling?—So I read the rules; I read the rules in that way.

Mr. *King.*

571. I think I will ask, if I may, one more question; what is the average pay you had been drawing the five preceding years in India when you retired?—For five preceding years my average pay was 1,500 rupees a month.

572. That is 18,000 a year?—That is 18,000 a year.

573. Eighteen thousand a year; if you had 9,000 rupees that would be half?—Yes, that would be half.

Mr. *Bristowe.*

574. At what date did you leave the Army entirely and join the Civil Service?—I scarcely remember; but if you will permit me to make the remark, it hardly enters into this question; because the Government of India sanctioned that all my service in the Public Works should be counted as Civil Service.

575. Then at what time did you enter the Public Works?—I entered the Public Works on the 2nd April 1849.

576. That is when you went out to India, is it not?—No; I went out to India in November 1846.

577. You entered the Civil Service virtually in 1849?—Yes, 18th April 1849.

Mr. *MacNeill.*

578. All the old East India Company's pensions, I understood you to say, were paid in sterling?—We gather so, so far as the rules show us.

579. You were in the Telegraph Department; are you of opinion that in those matters that, more or less, relate to technical education, such as the telegraph and others, Europeans are more competent than natives to fill them at present?—The technical education has to be obtained in England in the first instance. I am only speaking to the fact that it has been stated that those officers of the Uncovenated Civil Service who have been, the word used is, enlisted in India, have taken up appointments which might have been taken up by natives of the country. That I traverse absolutely, and I traverse it in two ways. I first of all say that the career which I have had the honour to mention to the Committee to-day is one which no native was competent to have gone through; and in the next place, that the technical education which is necessary for such departments as the Telegraphs, the Geological Survey, and the Public Works, and others, must primarily come from England. That technical education in the first instance did not exist at all in India. I am one of the pioneers, one of those who laid the foundations on which others have built subsequently, and it is possible that natives may be brought in hereafter more and more, but it has not existed up to the present time.

580. At present very few natives, I suppose, occupy prominent posts in the Telegraph Department?—None at all. There is not a native occupies a superior position in the Telegraph Department, not one.

Mr. *Barbour.*

581. You went, I think, to India in 1846?—Yes.

582. When did you retire from the service?—In 1877.

583. Then you were 31 years in active service?—Yes; I was brought under the superannuation rule. When I went out to India I was 24 years of age. Of course, when my age of 55 was completed then the Government dispensed with my services on the ground of age.

584. But for this superannuation rule, as far as you are personally concerned, you would very likely have remained in India longer?—I might, almost to this day; that is, of course, with a necessary period of leave to recruit health.

585. Just so. In that 31 years that you were in the service, what actual leave had you?—I had 20 months of sick leave granted me once, and 12 months a second time, sick leave only; and I had 8 months of what is called privilege leave, which is not counted in any way in the country.

586. Then you told us something about the pension you thought you were entitled to receive, and also the pension which you actually receive?—Yes.

587. You made reference to rupees, and also reference to sterling; what I want now from you is a statement in rupees of what you actually receive and what you think you should receive?—I actually receive 5,000 rupees a year as my pension now, and I consider that I ought to have 9,000. If the Committee will permit me to put in one further remark in answer to something I heard drop a little while ago; the question was put: Does residence in India affect health. I think I may remark that the insurance tables of all the insurance companies is an answer to that question.

588. What do they say?—They say that the value of life in India is probably about one-third less than it is in England; at any rate, my insurance premia dropped from some 61 *l.* a year on policies on my life when in India to 41 *l.* now.

589. You suggest another question there however; there are two factors to that, the climate on the one hand and habits on the other?—That is true; but I do not think you can say that the habits of educated gentlemen in India are necessarily prejudical to health.

590. I did not say anything about them at all; I do not know so much about them?—It is only those who would insure.

Mr. *MacNeill.*

591. You are drawing a higher salary than can be drawn by an uncovenanted civil servant, are you not?—Not at all; there are uncovenanted servants that draw 2,500 *l.*, and more, 3,000 *l.*

592. The circumstances are very exceptional, are they not?—Not at all.

593. I mean the pension, not the salary?—Oh, yes; the highest pension. I am drawing the highest ordinary pension; but the Government have in several instances (for, I suppose, sufficient reasons) granted higher pensions; but those are very exceptional cases.

Chairman.

594. When you joined the service in 1849 you had no expectation, then, of being entitled to draw a pension in England at all, had you?—I had. I had a firm intention of doing it.

595. Is it not a fact that in 1849, when you joined, no retired uncovenanted servant could draw his pension in England at all?—I cannot vouch for it, but I suppose it will be brought out in evidence before this Committee. But our information is that a great number of uncovenanted servants did draw their pensions in England, and in pounds sterling.

596. Are you not referring to a Return which was laid upon the Table of the House of Commons last year, in which the names of 21 retired uncovenanted servants were given who had pensions paid them in England in sterling as exceptional cases?—Twenty-one.

597. Twenty-one in number?—Yes.

598. Was it not the rule in 1831 under which you joined the Service that pension should be paid in India in rupees, and that any remittance of the pension should be effected by the pensioner himself in any way he pleased?—I believe that at the time you speak of the pay was drawn in Calcutta.

599. I am speaking of the pension?—Yes; the pension was drawn in Calcutta and remitted to England, but I am under the impression that one reason was that it was advantageous to do so. I remember perfectly that when I was making family remittances home to England in the early part of my service, I was much more a benefiter by this exchange, sending money home for the education of my sons and daughters, to England, than otherwise. In fact for some years I am under the impression that I scarcely ever failed to realise a good deal more than par.

600. Are you aware that under the 1831 rules you would have had no right to draw your pension anywhere but in India?—I could not answer that question.

601. Are you also aware that under the 1831 rules you were not entitled to any pension at all except upon medical certificate?—And I had had that.

602. Did you retire on medical certificate?—On medical certificate.

603. You did?—Yes. I may inform you that my last leave home was on medical certificate for 12 months, and before the expiration of that 12 months the Government of India wrote me a letter telling me that my 55 years would expire before the expiration of my medical leave, and that I should not be required to return to India.

604. Am I right in saying that when you retired you did not retire upon a medical certificate of incapability for further service?—You are right in saying that I was superannuated.

605. Is it not a fact that under the rules of 1831 you would not have been entitled to any superannuation at all unless a doctor had certified that you were unfit for further service?—That is true; but will you permit me further to remark that had that rule of retiring at 55 not been introduced (and that rule was not introduced, nor was I asked to accept it, with my will), I might have been in India up to this day.

606. That is a very fair answer as far as that point

Chairman—continued.

point is concerned?—I was not asked to accept the rule, still I was made amenable to it.

607. When was the rule requiring or permitting retirement at 55 years of age passed?—I cannot quite call it to mind, but I do not think it is in question.

Mr. *King.*

608. The date is 31st August 1871, is it not?—Yes, I believe it is.

Chairman.

609. Will you tell me what salary you were receiving in 1862?—In 1862 I was receiving 800 rupees a month.

610. In 1862 you were receiving 9,600 a year?—Yes, 800 rupees a month.

611. What were you receiving at the time you retired?—1,500 rupees a month.

Mr. *MacNeill.*

612. The Chairman has been speaking about your pensions always being paid in India, generally in Calcutta, from 1831 to 1858; no question in reference to the depreciation of the rupee could have arisen under it?—None at all.

613. If anything it was appreciation, it was higher?—Well, it was guarded by the official rate

Mr. *MacNeill*—continued.

of exchange which the Government published. It was guided by that.

Mr. *King.*

614. You mean that the Government had guarded against ever having to pay more than 2 *s.* by stating that they would always take 10 rupees as 1 *l.*?—That is my impression.

Mr. *MacNeill.*

615. The Chairman has also asked you, and you have stated that you are aware that under the old East India Company's rules no pension was given after a lapse of years except in case of incapacity for service; as a matter of fact, after a certain age did not doctors always certify that you were unfit to serve?—They were always willing to do so. But I cannot speak to that.

Mr. *Barbour.*

616. Do I understand you to say that the official rate was never above 2 *s.*?—I have no recollection of its being above 2 *s.* It might have been, but it is not within my recollection.

617. Are you aware, according to Tables put before the Committee, that in 1856–57 it was 2 *s.* 0½ *d.*, and in 1857–58, 2 *s.* 1 *d.*?—I am probably open to correction there, but I believe that the official rate seldom went up beyond par.

Mr. F. J. ROWE, called in; and Examined.

Chairman.

618. WHEN did you enter the service of the Government of India?—In 1870, on the 15th June.

619. How did you enter it; was it by appointment, or by competitive examination?—By appointment in India.

620. Who gave you the appointment?—The Lieutenant-Governor of Bengal; I was subsequently confirmed in the appointment by the Secretary of State.

621. Are you still in the service of the India Government?—I am.

622. What was your first appointment under the Government of India?—Professor of English Language and Literature in a State College.

623. And what salary did you receive?—500 rupees a month.

624. What is your position now?—Professor of the English Language and Literature in the Presidency College, Calcutta.

625. And what salary are you now receiving?—1,000 rupees a month. I have received considerably more in acting appointments as Principal of the College and Registrar of the Calcutta University; but my pay is 1,000 rupees.

626. The appointment you received was not one that could have been held by a native of India?—Decidedly not, except (as I have said in my memorandum) by a native with very rare acquirements. There has been one I perhaps ought to say, who has been appointed to a similar position; but he is a native Christian who was partially educated in England.

627. Were you in India before you were ap-

Chairman—continued.

pointed?—I was; I had been there a year and a-half.

628. What were you doing in India?—I was Vice-Principal and Professor of Classics in La Martinière College, Calcutta, a post for which I had been selected in England.

629. How long had you been in India?—A year and a-half.

630. May I ask you the question which, I think, has been put to most of the witnesses before us; were you educated in England?—I was educated in England.

631. Where?—At Uppingham School, and at Christ's College, Cambridge. I was an exhibitioner of Uppingham School, and an open scholar of Christ's College, Cambridge, where I took my degree in classical honours.

632. Shall I ask you in order what you have got to say upon each of the points before us; will that be a convenient way of taking what you have to say?—Yes; I do not think I have anything very new to say. I have not heard very much of what has been said to-day; I was not summoned for to-day, and I have not been in the room long. What I have to say is down in the memorandum which I have just written out and handed to you.

633. Had you any special covenant with the Government of India when you entered their service?—I had no written covenant. I was told I should enter on the rules which were then in force as to pay and pension.

634. Those are the rules of 1862 with certain modifications?—Presumably.

Chairman—continued.

635. You read these pension rules as entitling you to a pension of 10 rupees to the pound sterling?—Yes. I was told I should get 500 *l.*, and I verified that statement by references to the then pension rules, and also by what I have mentioned at the end of my memorandum, that to the best of my belief I had seen at Cambridge official advertisements from the India Office calling for candidates for appointment in the Education Department of India, and in those advertisements the pay and pension were mentioned only in sterling.

636. But I am right in concluding, am I not, that it was not in answer to these advertisements that you obtained your appointment?—No, not directly. It was in answer to a suggestion from the then head of the Department in Bengal that I should apply for the appointment as they wanted a man of my qualifications. I may state that I gave up better pay and prospects in order to enter Government service.

637. Do you base your claim to a pension at the rate of 10 rupees to the pound sterling upon the declarations of the pension rules then in force?—Partially only. An expectation, which I submit was reasonable, was raised in my mind that I should get 500 *l.* pension by my reading of the rules then in force and by the verbal remarks that were made to me by the Director of Public Instruction in suggesting that I should apply for the appointment.

638. Now what were those verbal remarks?—That I should be entitled to a pension of 500 *l.* when I had finished my service. No mention was made of rupees at all.

639. Were you aware that under the pension rules under which you entered the pensions were payable at that time in India in rupees?—I did not know at that time much about where they were payable. £. 500 I was told I should receive, and 500 *l.* I expected to get. I may point out, perhaps, that I gave up, as I was going to say, a position of greater immediate emolument, and almost the same prospects, tempted by the promise of a 500 *l.* pension. I should have got larger pay immediately (a good deal larger) in the post I held; and I should have got 250 *l.* sterling pension after 20 years, much less service and much larger immediate pay.

640. Now have you anything to say as to furlough?—I do not see why I do not require as much furlough as covenanted civilians, my work being as arduous and important as theirs, my social position being equal, and my education, speaking generally, superior to theirs.

Mr. *Buchanan.*

641. I understand your claim is that you ought to be paid 500 *l.* sterling?—Yes.

Mr. *Buchanan*—continued.

642. You are not in the enjoyment of the pension now, are you?—No; I am on leave.

643. You do not claim to be put upon the same conditions as covenanted civil servants as regards pension?—No, I do not.

644. And leave rules?—No; I was told that I should receive 500 *l.* a year pension, and that is the least I think I am worth, and the least I ought to have.

Mr. *MacNeill.*

645. Are you aware of the appointment, not mentioned in the case, but mentioned by Mr. ——Barnes, who gave evidence?—I was not here when he gave evidence.

646. It is this: are you aware of this, or is it the fact, that if you take furlough now for, say, a year and a half——?—I am on furlough now for a year.

647. Very well; if you chose to go back now, you would lose your entire year; the residue of the year would not be available the next time you took furlough. Is that so?—I do not know that that is the case. I do not think, if there is such a rule, that it would apply to me. I am under Schedule A.

648. I suppose it is unnecessary to ask you; we all know that you intended to spend your pension at home?—Yes, always and entirely.

649. And you were not thinking of rupees?—Not the least.

Mr. *Barbour.*

650. I think you said you entered under the rules of 1862?—Yes, I think those would be the rules, 1862. I entered in 1870.

651. Did you take the trouble to look closely into them?—Not very closely, I think.

652. If those were closely looked into, and it was found that they affected adversely your claim for, as you say, pension at 2 *s.* to the rupee, of course to that extent it would invalidate your claim?—To that extent it would if the claim were a legal claim; but various things conspired to make me think that I should get 500 *l.*, not only the rules, but the verbal promise, and also something which I think I shall be able to get from the India Office. I have asked Mr. Waterfield for it, and he says he may be able to supply it at the next meeting; that is the Secretary of State's advertisements put up in Cambridge Union for candidates for appointment in the Education Department of India, in which the pay and pension were stated only in sterling.

653. That is 18 months before you joined the service, at least?—Yes, that is 18 months before I joined the service; but I remembered the terms of these advertisements and was influenced by them to apply for a Government appointment.

Mr. SYDNEY HUTCHINSON, called in; and Examined.

Chairman.

654. WHAT is your position in the service of the Government of India?—I am an assistant superintendent of the first grade.

655. In what department?—The Telegraph Department.

Chairman—continued

656. When did you join the Service?—On the 30th November 1871.

657. By nomination or by competition?—I was the last of the nomination men appointed by the Secretary of State.

658. Appointed

Chairman—continued.

658. Appointed here in England?—Appointed here in England. I went through my training at Southampton.

658*. Will you state to the Committee the points on which you wish to give evidence?—I wish to give evidence only on one point. I belong to the last batch of men who were appointed under the nomination system. We were led to join the Telegraph Department, that is, to go through the technical training at the Hartley Institute, Southampton, by the issue to us of a printed prospectus which led us to believe that the conditions under which we joined were precisely similar to those of all the nomination men who had been appointed before us. I am unable to produce that original prospectus, but I would ask the Committee to call on the India Office to produce the one that was issued to us, which doubtless they will be able to do. It would have been issued prior to 1871, in 1870 probably.

659. In what way did you gather from this prospectus, that you would be treated?—In the same way as all the other nomination men who had been appointed in the same way that we were. To the best of my recollection this prospectus named all the salaries in rupees, but contained a foot-note stating that the pound sterling might be considered as being about equal to 10 rupees, which we understood (reading it the other way) meant also that 10 rupees meant a pound sterling. We went through our training, and after we had passed our final technical examination we received a letter from a solicitor to the India Office sending us a covenant to sign. We signed it, but before we had returned it we received another letter from the India Office requesting us to return this covenant, because it contained a clerical error. We accordingly returned it, thinking it was a misprint; we were boys then and did not take any legal advice about it.

660. When you say "we," how many people are you speaking of?—I believe, 15. There are six of us in the service now who are affected by it. We returned it, and another one was sent us, which we thought identical. We signed it, and have since discovered that the "clerical error" the solicitor mentioned in his letter was no less an alteration than the cutting out the words about the "payments to be made under these presents shall be at the rate of 2 *s.* to the rupee;" and inserting, "all payments under these presents shall be at the current rate of exchange." I do not know the precise wording, but that is the meaning of it. I asked to give evidence upon this point because I wish the Committee to know the circumstances under which this change was first made in those covenants. I leave it to them to consider whether it was a simple clerical error, and whether this change was made in a straightforward way. That is all the evidence I have got to give. The result of this is that all the nomination men, with the exception of the last six, when they come home on furlough, now draw their furlough pay at 2 *s.* to the rupee, while we men who went through exactly the same training, got our nomination in the same way, and were appointed in the same way, only get our furlough pay at the current rate of exchange, that is, 1 *s.* 4½ *d.*, or whatever it may or ought to be.

Chairman—continued.

Mr. *Buchanan.*

661. I understand this is purely an exceptional case?—Yes; it happens to be the final covenant in which this clause about exchange was inserted.

Mr. *Barbour.*

662. Are you able to produce this clause, or anything in the nature of proof. Do you know that it was as you say?—I have no doubt that the India Office will be able to produce it.

663. I hope so; it ought to be met?—Of course this is only my own personal evidence.

664. We should like to get a little beyond that, and to obtain some other proof?—Exactly. Of course, that is necessary.

Mr. *Bristowe.*

665. How long before you entered the service did the other men, whom you say had been treated differently, enter?—Some of them were actually under training at the time in Southampton; one lot.

666. Do you mean the same year?—Yes; only they were at a more advanced stage of their training when we were beginning ours. There were altogether 78 men appointed under the same rules as myself.

667. And before that how many?—I think it was in 1868 that the first lot was appointed; but I am not prepared to be certain about it.

668. Your particular batch was 15, I think?—Fifteen; of those, six now remain in the service.

Chairman.

669. As to this letter; you are speaking of its contents from memory?—Yes.

670. You kept no copy?—I kept no copy of it. It was just a brief note asking to have this covenant returned, because there was a clerical error in it; that I am quite sure was the expression used.

670*. You are quite sure of the words "clerical error"?—Perfectly.

671. Was it an official letter?—It was an official letter signed by a solicitor of the India Office, as solicitor of the India Office.

672. With a number on it?—I am not prepared to say whether it had a number, but it was an official letter.

673. What is the nearest you can give as to the date of the letter?—It must have been in November 1871, because my appointment dates from the 30th November.

674. Then as to the letter which was recalled, you know nothing about that letter?—It was not a letter, it was a printed form of covenant which was recalled, but I am quite certain that the covenant which was sent back to me, and which I signed, and which is now in my possession, differed from the one that was sent to me in no respect whatsoever, except in the alteration of this clause about exchange.

675. From what source of information do you know

Chairman—continued.

know that?—I know it, because I have compared my covenant with the covenants of men who were appointed in the year preceding my appointment.

676. And the difference between your covenant and theirs is this particular clause?—Yes, only this particular clause.

677. When did you first find that out?—I think I first found this out about eight years ago, but I am not certain to a year or two.

678. You say that you are now suffering from this alteration of your covenant, that if your covenant had been the same as the covenants of others nominated by the Secretary of State, you would now be drawing your furlough pay at the rate of 2 *s.* to the rupee?—Yes. The result in my own personal case is that I have had 18 years actual Indian service, and have not been able to take a single day furlough.

Chairman—continued.

679. Because of the low rate of furlough pay to which you are entitled?—Yes.

680. Are you on furlough now?—I am on privilege leave.

681. You have never taken furlough?—Not a day.

682. What would be your pay if you took furlough?—Three hundred and fifty rupees.

683. Three hundred and fifty rupees a month?—Yes.

684. Are you going out to India immediately?—I am going out next Friday; to-morrow week.

685. Are you staying in London?—I am living here.

686. Will you be attending the Committee?—I can attend any day that I am required to.

Mr. ALEXANDER DALZELL, called in; and Examined.

Chairman.

687. WILL you tell us when you entered the service of the Government of India?—In February 1871.

688. Did you enter by nomination or by competitive examination?—I entered by nomination; I was nominated by the Governor of Bombay.

689. In what capacity did you enter the service?—I entered the Department of Land Revenue, Survey, and Settlement.

690. What is your present position?—Assistant superintendent in that department.

691. Did you hear the evidence given at the last meeting by Mr. Jenkins?—The last portion of it

Chairman—continued.

692. And have you read the case which has been laid before the Committee?—Yes.

693. Would you kindly make your observations supplementary to that case and that evidence (I do not want you to go over that ground again), and tell us what you have to add to the statements therein made?—Yes; with the permission of the Committee, I should like to read from the document what I have to say, as I am suffering from the effects of sunstroke in India, and my brain is not in as good a condition as it might be. (*The Document was handed in.*)

Tuesday, 15th July 1890.

MEMBERS PRESENT:

Viscount Baring.
Mr. Bristowe.
Mr. Buchanan.
Sir John Gorst.
Mr. Howorth.
Mr. King.
Sir William Plowden.

THE RIGHT HONOURABLE SIR JOHN E. GORST, IN THE CHAIR.

Mr. ROBERT ARTHUR READ, called in; and Examined.

Chairman.

694. WHAT is your qualification to give evidence to the Committee?—I have been associated for the last three months with this subject, in going into the whole of the documents, including the Despatches and the case generally of the Civil Engineers of the Public Works Department, as assistant secretary to the Indian Association, and I have thoroughly, I believe, mastered the case.

695. Have you printed the result of your investigations in the shape of a case, which has been furnished to the Committee?—I have.

696. Will you put the whole case in as your evidence?—If you please.

697. I think that will be the most convenient course?—I should like to put the whole case in.

698. Having put the case in as the evidence you are prepared to give, you might confine yourself to comments upon it, calling the attention of the Committee to any points in the case you think desirable, and particularly to anything in which the case of the engineers differs from the general case of the uncovenanted Civil Service?—Yes.

699. Have you anything to observe upon the first page of your case?—Upon the first page of the case I have no particular observation to offer. I should state that, with reference to the few engineers who have retired from the department, who came under the old rules, I have not dealt specifically in any way with them, but have rather left them to be dealt with under the general case of retiring pensions with the uncovenanted service. On page 2 it will be seen what the *personnel* of this department consists of. The various classes are set out in paragraph 2. I should like to tell the Committee that the Stanley engineers were appointed under a series of documents which will be found in the Appendices A. 2 to 7. Later on I shall ask your attention to the contents, more particularly, of the several paragraphs of those prospectuses; but at present I would only put them in as the documents which were put forward to invite Stanley engineers to join the Department. The circumstances under which they were put forward were that,

Chairman—continued.

in 1858–59 the Government of India, as we now understand it, took over the East India Company's Service, and wishing to develope the public works in India, applied for these engineers. The second class of engineers are engineers who are nominated by the Secretary of State for short terms, and afterwards granted permanent appointments. The main of those engineers were appointed between the year 1869 and the year 1872; that is, between the time when, as I shall show you by-and-by, the supply of Stanley engineers fell off and the time when the Government had matured Cooper's Hill, and had engineers ready to come forward.

Mr. *Bristowe.*

700. May I ask why they are called "Stanley Engineers?"—After Lord Stanley. Then, about 1870, the regular supply of Stanley engineers having fallen off, the Government determined to create the Indian Civil Engineering College at Cooper's Hill for the purpose of supplying a regular number of trained engineers for the Public Works Department of India. Those gentlemen applied under a series of documents which will be found in Appendix "A. 8 to 12." The documents I have printed in the Appendix must only be taken as typical; they are not the documents of every year. I believe them to be the only material ones for the consideration of the Committee; but I should ask, if necessary, that the whole of those Cooper's Hill prospectuses should be put in.

Sir *William Plowden.*

701. Have you any documents for the second class?—The second class have no documents at all; they were appointed on the understanding which I will prove by-and-by. This third class of engineers was appointed from Cooper's Hill prior to the year 1876. In paragraph 3 the third class of engineers are those who are appointed by the Indian Government by competition from Indian colleges prior to 1876. That year is taken because in 1876 there was a special Despatch which limited certain better rules

 which

Sir *William Plowden*—continued.

which were issued in 1872 to certain classes; and also because certain warnings were given them in that year. The Class 4, who were appointed in 1876, were also appointed from the Indian colleges, but with the warning contained in the Despatch of 1876. Then those engineers were always a part of the department which the policy of the Government was to supply from the Indian Empire itself, and not from home. The four chief colleges were Thomasson College, Roorke's College, Seebpore College, and Madras College. The fifth class is the first lot of Cooper's Hill engineers that were sent out under those prospectuses to which I refer you, namely A. 8 to 12. That is not an exhaustive list of prospectuses, as I have said before; but merely typical ones. I divide the Cooper's Hill engineers in this way, because the men who went out, having joined between 1870 and 1874, were admitted to some exceptional rules upon the ground that their prospectuses contained certain statements which are not contained except with limitations in later prospectuses. The engineers in Class 5 were those immediately following 1874, and of which I shall have something special to say; the engineers appointed in 1876 came in under prospectuses which were in many material points different and contained warnings which caused them to stand upon a different footing. I should wish to tell the Committee how the existence of Cooper's Hill came about. The Stanley engineers, who were appointed to develop the Government works in India under the prospectuses in the Appendices A. 2 to 7, found when they joined the service that they were in a materially different position to that which they anticipated; and it was owing to that that very great discontent grew up in the service, and that culminated about the years 1868–69; and I shall prove that the supply of Stanley engineers in the years 1868 and 1869 had fallen off almost to nothing. It was just about that time that the Government were developing large works in India, and the contention is that being very anxious to secure a continuous supply of engineers they issued a Circular which will be found in the Appendix bodily, but an extract of which is printed on page 3. That Circular was issued to allay the dissatisfaction which had arisen owing to the position in which the Stanley engineers found themselves on going out to India. The great grievance was that while employed upon the same works, and very arduous works, and very often taking the brunt of those works, they were treated very differently to the Royal Engineers who were in the Department, and to whose emoluments (by the word "emoluments" I mean pay, pension, and leave allowance) they considered theirs should be, to a certain extent, equalised. The Government evidently, as I submit, in 1869 agreed with that view, because they issued a Circular to every man in the Department, including all these classes, men appointed in India and in England alike, which contains the paragraph: "The Government of India unreservedly declares its complete confidence in the body of Civil Engineers in its service. It has long been, and continues to be, the desire of the Government of India to recognise their merits and just claims as fully as those of any other class of its officers, and its appreciation of them is sufficiently proved by the large additions to the number of Civil Engineers employed under Government during the last two years. Further, so far from there being at the present time any disposition to depreciate the value of the services of the Civil Engineers, the Government of India has lately had before it a proposal which it is hoped will take early effect, for improving their position generally, and placing them, in reference to their emoluments, on precisely the same footing of other officers employed on the same duties." A copy of that Circular was sent to every engineer in the Department, and that Circular was supposed by them to be a promise which would obviate all the difficulties which had attended their position, and that they would be put upon a footing with the Royal Engineers, so far as the difference between Military and Civil Engineers would always enable them to be. That promise was continually kept alive. I shall have to refer to that later on; perhaps I might only just call the Committee's attention to a Minute of Sir Andrew Clarke, which is published in 1878, which lays special stress upon the position of the engineers. The quotation which I want to read to the Committee will be found on page 4 of the case; an excerpt from the whole of the Minute, which will be found in the Appendix, B. 4. The Civil Engineers in the Department, it is contended, were amply justified in considering that a promise which was made in 1869, and dealt with in various Despatches up to and including 1887 (I think as late as that), and were amply justified in relying upon that promise, because, from time to time, as these Despatches came out, better rules were made, and the service continued to press for still more concessions. They are now before this Committee, and essentially base their case upon the promises of the Government, which are contained in those Despatches, and also upon the inducements which were held out to them when they joined. With your leave, I shall now go to the depreciation in value of gold and silver money. The contention of the first batch of engineers who joined the Public Works Department under the 1859 to 1872 prospectuses (that is the Stanley engineers) is this: that they were offered by those prospectuses certain inducements to take service with the Government of India, which were expressed in a certain way, and that upon the faith of those they took service. Their complaint now is that, although those inducements were in many cases quoted absolutely in sterling, in others quoted in sterling, so as (we submit) to be misleading, if they were ever intended to come under any rule which involved taking the rupee at anything less than the 2*s.*; and they say now that, putting them under rules which involved their accepting the lower-priced rupees is a material alteration in the consideration which was put forward before in their prospectuses.

Chairman.

702. In what particular does the case of the engineers differ from that of the other officers already submitted to us, in which an amount in rupees

Chairman—continued.

rupees is spoken of as equivalent to an amount in sterling at 2 *s.* to the rupee?—It is submitted that it very materially differs.

703. From the case of other officers?—From the case of other officers, for this reason: they rely upon the Despatches; perhaps, if they had to stand upon their prospectuses alone, there would not be the same great difference; we say that that Despatch of 1869, being the outcome of the agitation which was commenced immediately upon the operation of those prospectuses being realised, has absolutely precluded anybody from thinking that the prospectus was meant to be the only document they were to rely upon.

704. Then do I understand you to say that the case of the engineers differs from that of other officers, not in the engagements contained in the prospectuses, but in the Despatch of 6th October 1869, which gave them an additional and independent and separate guarantee?—That will apply to some engineers; but there are engineers whom I should contend, upon their documents alone, would stand in a better position than those gentlemen whom you indicate. In the first instance I was putting the case of the engineers as a body, and not considering them under their various prospectuses, and the inducements that were held out to them to take service individually. Later on I am afraid I shall have to trouble the Committee with more detail as to the various classes; but in dealing with this, unless you intimate that you would rather I went into more detail, I would deal with the general statement (which I shall hope better to prove hereafter), that engineers were induced to take service in the Department by the offer of sterling, and then the consideration which was offered to them for taking service was materially altered by the new rules which are imported. One of the gravest complaints the engineers have is that being made subject to this fluctuation in the rupee, they are very very much put upon an unequal footing with those officers of the Royal Engineers who are employed with them upon the same duties in the Department; and I shall refer with very great confidence to Despatches which contain expressions of opinion by most competent authorities, that this difference is very detrimental to the service. Then the first point about this fluctuation of the rupee is that the engineer being subject to it has no sure pension to look forward to, but only one which varies with the value of the rupee. That being so, it is found that it blocks promotion in the Department. Engineers do not retire in the same way, and in consequence there is a very grave block of promotion; and that is one of their grievances, arising out of this depreciation of gold and silver money. With reference to that we say that also very materially varies the consideration that was offered to them to take service, because certain rates of promotion were held out, and those rates of promotion are not anything like realised.

705. I am afraid the question of promotion is one that is hardly within the competence of the Committee. So far as promotion is stopped by the fluctuating value of the rupee I think that is a matter within the jurisdiction of the Committee; but any grievance which merely arises from slower promotion than was promised in the prospectus is scarcely one which the Committee is competent to consider?—Thank you, sir; I accept that; what I wanted to put before the Committee was this, that the fact that the promotion that was offered has not been realised is to be referred, to a very large extent, to the depreciation of the rupee.

706. Consideration of that kind is quite within our competence?—And we say that in so doing it has materially varied the consideration which was offered the men to induce them to join this service; I cannot, of course, put it any higher than that, as you will readily understand. With reference to this question of promotion, it will be found dealt with in certain Despatches, all of which will be found in the Appendices; with submission, I shall be able to show that the block is caused by this depreciation, and their being subject to that depreciation. I cannot, of course, carry it any further. I should like to direct the attention of the Committee very closely to the opinion which is expressed with reference to this block in promotion, which, I say, arises from the depreciation of the rupee; that is an opinion expressed by Sir Theodore Hope; the Minute is printed in Appendix 5, but there is a short extract on page 8, paragraph No. 4; you will see that he writes there: "A block in promotion was established which is most injurious in two way; (*a*) the reasonable expectations of qualified men are unfulfilled in a very marked degree; and (*b*) prolonged service in positions of inferior responsibility actually renders a man less competent for the exercise of higher authority." The block in promotion will also be found dealt with by Sir Andrew Clarke in the Minute which is printed in Appendix B. 4. The block still gets worse, which will be found on reference to Appendix B. 7, which is a Government Minute, which shows that year by year the ages have been increasing for steps in promotion. That is largely brought about, it is the contention of the Department, by the depreciation of the rupee. The next question which arises on the case is the question of the leave allowance, that is a very important question to the engineer, because he has to come home to recruit his health; and therefore he wants a leave allowance which shall enable him to come back to Europe. The two points are these: that sufficient leave is not allowed to count for pension; and that the pay upon leave is inadequate. Upon page 10 will be found this statement, that certain classes of the engineers have curious rules; that is to say, Classes 1, 2, 5, and 6, that is, the Stanley Engineers, engineers appointed in India by the Secretary of State, engineers appointed from Cooper's Hill between 1870 and 1874, and engineers appointed in 1875, are allowed to count two years' furlough in 20 years continuous Indian service, three years in 25, and four years in 30. Class 3, engineers appointed by the Indian Government from Indian colleges, and Class 4, are both of them allowed to count no furlough for pension. And I should wish here to press upon the Committee this difference between these classes. Europeans largely go into the service from these Indian colleges; I believe

Chairman—continued.

I believe the majority of them are domiciled Englishmen; they have fulfilled in the service exactly the same duties as men sent out under Stanley covenants or from Cooper's Hill, yet they are not allowed to take any leave and count the time for service. Then Class 7, that is, the Cooper's Hill men after 1876, have a small special regulation which enables them to count a year served in England as a year for pension. This divergence of rules seems to be a very material departure from the promise which was made in 1869, because the allowances which are made in respect of leave are part of the emoluments which the Despatch of 1869 says shall be equal (as we contend) for Royal and Civil Engineers in the Department. In paragraph 5 on page 10, the Committee will find how the engineer is better off in the amount of time that he is allowed to count for pension. The next point is the payment of leave allowances.

Mr. *King.*

707. Will you state what the furlough is that is allowed to engineers?—The furlough allowed to Royal Engineers is as follows: they are allowed to count three years home service, also one year of instruction at home as captains, and furlough to the amount of four years in 20 years of total service, five years in 25 of total service, and six years in 30 years of total service, to count for Indian pensions. The authority for that is the Army Regulations of India. The Government of India has on more than one occasion intimated that it thinks all engineers should be brought within the same better furlough rules, all European engineers. Unfortunately they are not, and it presses very hardly upon many gentlemen of good birth and education who have gone into the Department through the Indian colleges, and now find themselves unable to come home without having the time deducted from their service for pension. Then with regard to paying allowance in this country in sterling, the claims vary more considerably here than in any other way; but it is quite clear, I submit, from reading the prospectuses and advertisements under which the Stanley Engineers and the Cooper's Hill Engineers joined, at any rate that down to a certain date, which should be fixed for the Cooper's Hill Engineers at 1875, and for the Stanley engineer at no date at all, because he was not appointed after 1870, all of them, both Cooper's Hill and Stanleys, are entitled to furlough in sterling, and not subject to the fluctuation of the rupee. Here again they find themselves at a very great disadvantage as compared with the Royal Engineer, in the fact that the Royal Engineer is safeguarded by the sterling minimum. He gets his pay in sterling. These gentlemen say that they are sent upon foreign expeditions. Evidence will be given that they are sent across the frontier and are often under fire, and take the brunt of the work of the Department, and then are unable to take, either in length of time or with equal allowances to the Royal Engineer, the prospect of which was held out to them.

708. Will you tell the Committee what the rules are as regards payment of furlough for different classes; some are paid at 2*s.*, are they

Mr. *King*—continued.

not?—Yes, there are various rules for the payment of leave allowances. Up to the year 1872 a certain set of rules prevailed. Those rules were contained in the special leave code.

709. I do not want you to go through the whole leave code at present, but merely to state at what rate are the Stanley engineers paid their furlough?—The Stanley engineer takes his furlough allowance in the current rate of exchange. I believe 1*s.* 5*d.* is the sum fixed for the transaction between the two Treasuries.

710. And the one nominated by the Secretary of State for a short period, Class 2, how does he draw it?—That will depend as to whether he was appointed in England or in India. There are two or three very minor differences like that, which bring the men either under one rule or under another.

711. Can you not say what it is, speaking generally?—Speaking generally, the English appointed engineer comes under the better rules, and the Indian appointed engineer, whether he is European or not, does not come under those rules. Gentlemen will tell you later that he is in this anomalous position, that he is entitled under the Despatches to the better pension rules, but that he cannot get the benefit of those as he does not come under the better leave rules.

Chairman.

712. I thought you were speaking of furlough?—Yes, if you will allow me, he cannot take the benefit of those pension rules, because he is under the worse furlough; that is an Indian appointed engineer, who comes under rules which do not enable him to count furlough for pension.

Mr. *King.*

713. Cannot you give the seven classes, and say at what rate each draws his furlough pay, merely to simplify matters for the Committee?—Yes; the whole of the classes, with the exception of the engineers appointed from Cooper's Hill, from 1870 to 1874, draw, subject to the fluctuation of the rupee. It is specially granted to these 1870 to 1874 men, upon the terms of their prospectus, which I submit are exactly the same as those of the Stanley engineers.

Mr. *Buchanan.*

714. Do they get theirs at 2*s.*?—The Cooper's Hill men appointed 1870 to 1874 take it at 2*s.*; but the Stanley men, exactly on the same terms with regard to furlough, take it at the current rate of exchange.

Mr. *Bristowe.*

715. Are those 1870 to 1874 men covenanted; do they come under the head of covenanted servants?—No, they have no covenants at all.

716. The 1870 to 1874 men?—No, they have no covenants; they are appointed direct from Cooper's Hill under the regulations of the Secretary of State.

Mr. *King.*

717. It was granted to them, was it not, because the India Office admitted the construction of the prospectus, or said they were entitled to draw their furlough pay in that way?—That is so; they made application to the India Office upon

Mr. *King*—continued.

upon the terms of their prospectus, and they were granted this concession. Later on, I am afraid, I shall have to trouble the Committee in a little more detail with regard to these rules. We now come to pensions; the pensions come under rather a different category to the payment of leave allowances, because almost throughout, with the exception of the first Stanley Engineers, between 1869 and 1875, there is that warning which was inserted in the Leave Code in 1864, that pensions drawn at the Home Treasury would be paid in the current rate of exchange. The contention is, that that is entirely inconsistent with the position the Government took up in the Despatches. That is the case generally with regard to pensions, that concurrently with prospectuses, which in many cases equated the rupee at 10 to the £., and talked of sterling furlough pay, and then equated the pension in rupee, with this warning that was entirely inconsistent with the Despatch which said they should be upon the same footing as Royal Engineers, who draw pensions in sterling. I do not think I need trouble the Committee with details of those rules, but I want to draw attention to this as I am passing. On page 13, paragraph 4, deals with that question of the special provision being inserted in the Pension Code in 1864. I should ask that certain Despatches (a list of which I hold in my hand) should be produced, in which I believe it will be found that the whole of the clauses which deal with this payment of pension, talk of the pension as 500 *l.* and not as 5,000 rupees. I say that the then existing contracts which were made between the Government and the Stanley Engineers and others coming in, were not made with a common mind. Page 14 shows the improvement in the pension rules and the leave rules, which hang very much together (because of the leave counting for pension) which were made in 1884. There are only certain classes who are admitted to those rules.

Chairman.

718. At the time those new rules were made, was the depreciation of the rupee taken into consideration as one of the grounds for making them?—In 1884?

719. Yes?—As to that I am not prepared to give direct evidence; I shall give you evidence as to the officers who came under those rules, and as to what they consider they were meant to represent. Here I should note (if I may ask the Committee to remember again) that there are a great many officers in this department, who, although admitted to one section of those rules, cannot get the benefit of them, because they are not admitted to the others. I mean these English-trained engineers who are appointed in India, who are allowed to come under the better pension rules, but are debarred from the full effect of them by not being allowed to count furlough for pension. That is found to operate very hardly on Englishmen who are appointed in India.

720. What I understand you to say is, that they must choose to come under one of two sets of rules, that they cannot come partly under one and partly under the other?—No; it is not a question of election, as I understand it. The engineer appointed in India, has no election; he cannot say, I will take my pension under the better rules and my leave under another set of rules, or *vice versâ*.

721. He must take his pension and his leave under the same set of rules, must he not?—No; I am afraid I have not expressed myself clearly.

Mr. *King.*

722. You were pointing out the anomaly, I think?—I was pointing out this anomaly, that while some engineers are admitted to come under the rules Nos. 1 and 2, upon page 14, in the third paragraph, they are debarred really from getting the full benefit of those rules, because they are not admitted to the better furlough rules, which allow them to count furlough for service; you see, they have to put in so much more service.

723. Will you tell the Committee who those persons are; give one concrete instance?—There is a gentleman who will be called before the Committee, and will prove that he was an engineer, employed upon one of the largest railways in India, holding a very good appointment, who, in the period between the Cooper's Hill men coming out and the falling off of the Stanley Engineers' supply, was taken into the Government service; he is one of those gentlemen who is entitled to claim in accordance with the regulations under Rules 1 and 2, for pension (I am speaking of Rules 1 and 2, on page 14), and he, at the same time, is not allowed to count two years, or three years, or four years, or five years, as the case may be, in furlough towards service for pension, because he is an engineer appointed in India.

Chairman.

724. Who was, therefore, not entitled to furlough at all?—Yes.

725. But, then, do you mean to say that he is not debarred from the benefit of No. 1 and No. 2; I do not quite understand what you mean; you do not mean that he is debarred from the benefits of Rules Nos. 1 and 2, do you, but that, being admitted to the benefits of Rules 1 and 2, he is not admitted further to the benefit of Rule 3?—Quite so; he does not get the full benefit of the new pension rules because, by the new pension rules (you must read the furlough and the pension rules together, I say), you are allowed to count so years' furlough for pension; and one of the rules of pension is, that you can count so much furlough for pension. This gentleman is entitled to get so much money if he serves his time properly, but he is not allowed to count in that period of service any quantity of furlough.

726. Because, by the terms of his original bargain with the Government of India, he is not entitled to any furlough at all; is that so?—No; I should submit that those gentlemen (I shall come to the case a little later on) are upon the same footing as the Stanley Engineers; they have no specific rules other than those.

Mr. *King.*

727. Originally none of the engineers were allowed to count any service for pension, were they?—No; originally they were not.

 728. Is

Mr. *Howorth.*

728. Is there no specific contract made with engineers who enter the service in India of any kind?—Not that I am aware of. Some of them entered into short covenants; and the rules they would come under would probably be the civil leave and pension codes at the time existing for the uncovenanted service, and at the expiry of those short covenants they were taken on permanently; others, on the other hand, were given permanent appointments at once. There is a great deal of confusion in the various appointments that were made, of engineers. I wanted to point out that the result of this inferior pension is again to put the civil engineer at a very great disadvantage, as compared with the Royal Engineer, who is employed upon the same work, and contrary entirely to the spirit of the Despatches, which were common property between the years 1869 and 1887. Then, of course, with regard to the Cooper's Hill men, the contention is that they were specifically told they were to belong to a service which was upon all-fours with the great military and great covenanted service of India; that was the understanding at the time that Cooper's Hill was instituted.

Mr. *Bristowe.*

729. Are there any papers to that effect?—The only thing I can refer you to for that is an extract from a speech of Mr. Grant Duff's in the House of Commons, which will be found printed in Appendix A. 14. If you look at 106 in the main Appendix, you will see in the second paragraph of the page, they say: "What the Government claimed to have done by the estatablishment of this engineering college might be thus summed up: First of all, an imperative duty to India had been discharged by getting for her the trained engineering ability which she wanted; and, secondly, the Government claimed to have done many works of supererogation for England, of which the chief were the following:—They had created a new profession on a level with the two great Indian services, the civil and the military. They had not restricted, but widened the area of competitive examination, by admitting the public schools to compete, which were hitherto like all the other great schools."

Chairman.

730. Do you say that a statement by an Under Secretary of State in the House of Commons, that the Government had created a new profession on a level with the great Civil and Military Services, is tantamount to an undertaking on the part of the Government to make the rules of the Public Works Department as good as the rules of the Civil and Military Services?—I do not quite put it so. What I say is this: that, reading the whole history of the Stanley Engineers, the outcome of which was an entire failure of supply, owing to the altogether inadequate remuneration, in that state of things the Government writes a Despatch, and says, for the future you shall be upon the same footing as the Royal Engineers; that this is an engagement.

Mr. *Bristowe.*

731. Where is that Despatch?—It is the Despatch of 1869; it is quoted on page 3; it will be found *in extenso* in E. 1 of the Appendix. The set of circumstances which called forth that Despatch, and the announcements which were made at the formation of Cooper's Hill, all tended to one idea in people's minds who were going to take service; and I say that was the inducement. It was the intention of the Government to secure these gentlemen, and it had held forth certain inducements, and the contention is, that those inducements have not been made good, and that the consideration has been altered. With reference to one question upon pension, which I should like just to speak to before I go further, I believe it has been contended that pension is entirely of grace, that the engineer or the civil servant is not entitled to pension, but that it is a matter of grace. I should ask whether, having regard to the definition the Indian Government has put upon emoluments (which includes pension), it can be said that pension is not a matter of right.

Chairman.

732. Do I understand you to allege that some authority has said that the present civil servants of India are not entitled to pensions?—No; it arises in this way. I rather gathered from what passed in the Committee the other day that the contention was that the pension rules were entirely permissive, and that pension should be looked upon as of grace altogether. If I am mistaken I shall, of course, be open to accept correction. I have only put a note as to that at the end of the chapter. I know it is so as to the maxima. The maximum pension, I quite understand, comes under certain rules which have been held to mean so-and-so; they are matters of grace; but I think it has been carried rather further than that; that is the impression that has been left upon my mind, and one of my contentions, which you will find under the prospectus, is that the whole of my emoluments were to be paid to me in a certain way which I, reading the prospectus with the Despatch, considered to be pounds sterling including pension. The engineers base their claims, shortly, upon the two documents which will be found printed in E. 1, that is the first one; that is a Despatch which I have quoted before. The sense of that Despatch was kept alive throughout the whole of a series of Despatches, which will be found in the Appendices. If you refer to page 19 of the case you will find there, set out, those Despatches. I should like to call the Committee's attention very particularly to a letter which will be found printed on page 18 of the case. That was a letter from Mr. Cross to Mr. E. H. Carbutt, who was then a Member of Parliament (I forget for where), who had been urging the claims of the Indian civil engineer upon the Government, and if the Committee will kindly look at the middle of page 18, paragraph 4, they will see Mr. Cross writes as follows: "Lord Kimberley observes that you are under the impression that the present disparity of the pay of the civil and military engineers will be maintained; this is not the case. It is intended that they shall in future receive the same amount of pay." That is in 1883, and is entirely carrying out the sense of the Despatch of 1869, which I would impress upon

Chairman—continued.

upon the Committee was sent to every member alike of the Public Works Department. They all had it. It was sent to them so that the difference which had arisen as to the rules might be at once set at rest, and upon that Despatch they have relied with this chain of Despatches which follow. I do not know whether you would care for me to go through those Despatches, that are on page 19, and read certain paragraphs out of them, upon which I rely.

733. I think you had better read from the Despatches anything that you rely upon?—If you please. Appendix E. are the Appendices which deal with it. The first is E. 1, which I have already referred to; that is a Despatch of 1869. I need not read that paragraph again. The answer to that was on the 15th of March 1871, and at the bottom of page 145, Section 3, the question is further dealt with. This is a Despatch of the Duke of Argyll's; there are two paragraphs, 3 and 4.

734. Paragraph 3 has distinctly reference to the question of promotion; which is hardly before us?—With reference to that I accept what you have told me; that except with reference to the fluctuation of the value of gold and silver money, you cannot deal with that question. Then, "for a similar reason it may be desirable that the civil engineers should be assigned relative rank after fixed periods of service, corresponding with those which qualify for substantive rank in the Staff Corps; and I would further wish you to consider whether there ought not to be only one scale of salaries and allowances for all members of the service, both civil and military."

735. Is that germane?—The next Despatch is No. 43, P. W.; it will be found on page 148. I have had these Despatches *resumèd*. The whole Despatch is printed in a Return to Parliament, which follows Appendix E. 3; they are full Despatches. If I might be allowed, I would read, to a certain extent, from the *resumè* on page 148, "Section 16," which is the paragraph to which I would direct your attention. "With reference to paragraph 4 of your Grace's Despatch under reply" (that is the last Despatch of the Duke of Argyll), "we may remark that we have already recommended the equalisation of the pay of the military and civil branches of the Department, and we are gratified to find this proof, that Her Majesty's Government are likely to receive that proposal favourably. On this point we only add that we shall be glad to see some plan adopted by which the furlough allowances of civil engineers shall be equalised with those of military officers in the Public Works Department, and so far as practicable, their advantages of pension also." Then the next is a Minute of Sir Andrew Clarke's, which was published in September 1878, which is contained in Appendix B. 4, paragraph 51, page 124. He is dealing here with the state of the Department generally. I should like to direct the Committee's attention to the whole of those paragraphs which are contained on pages 123 and 124. They are very important as to the state of the Department. This paragraph is as follows:—"I may also refer, in connection with this subject, to the correspondence that has appeared in the columns of the Indian Press, and

Chairman—continued.

some of the professional papers in England. The letters from the civil engineers were, some of them, well argued; but, there was a tone of hopelessness pervading them, engendered of expectations unfulfilled. The practical outcome of the Indian correspondence was that enhanced pensions formed the only remedy for slow promotion, and for the dreariness of the future when unfitted for further work in India. I have observed no disloyalty to Government. A large number of civil engineers addressed a memorial to the Secretary of State in 1871, setting forth their grievances. They were desirous of making a further joint representation early this year, but were deterred by the late resolution of the Government of India forbidding all joint action in memorialising. The members of the covenanted Civil Service in Madras and Bombay have disregarded the order, and have jointly addressed the Secretary of State. The Civil Engineers acted in obedience to orders, only a few of their body waited on me personally to state their grievances, and when informed that the Government was moving in the matter, they quietly abstained from further action. It is, therefore, the more incumbent on me to see that they do not suffer for their loyal acquiescence in the orders of Government." My argument from that is, that those gentlemen relying upon the promises which had been repeatedly made in Despatches, when they again approached Sir Andrew Clarke in that year, were re-assured in the sense that these promises would be fulfilled to them.

Mr. *Howorth.*

736. What was the date of this; I do not see any date attached to that?—I cannot tell you exactly. From the intrinsic evidence I should say it is 1877; I have only had a reprint before me, which you will find on page 119 of Appendix B. 4; the first page of it, which refers to Despatches of 1876. I know those were published in 1878, so that I should place the date of that Minute of Sir Andrew Clarke at about 1877. The next Despatch is 18 P. W., London, 22nd March 1883; it follows page 152. Page 13 of that Return to Parliament, Section 20, is as follows: "Although not alluded to in your letter, the question of the pay of the Royal Engineer members of the Department is one which it is desirable now to consider. The opinion has already been expressed by my predecessors that the position in the Department of the Military and the Civil Engineers should, as far as possible, be assimilated, and the time has, in my opinion arrived, when the distinctions which now exist in their emoluments should be removed; I desire, therefore, that in future the salary of the Royal Engineer officers admitted to the Department shall not be supplemented." I do not think I need read the rest; that is the paragraph I rely upon there.

Mr. *Bristowe.*

737. It rather points to a reduction of the Royal Engineers than the other; I think you had better read it?—Yes; I will deal with that subsequently.

738. I think you had better finish the para-

Mr. *Bristowe*—continued.

graph?—"I desire, therefore, that in future the salary of the Royal Engineer officers admitted to the Department shall not be supplemented by military pay proper, but shall consist only of the salary of the grade or office in which they may be serving. I do not propose that any deductions shall be made from the present allowances of those who are in the Department, but on their promotion the new rule should be applied to them, provided they do not by promotion suffer any diminution in their total present emoluments."

Chairman.

739. What is the date of that?—That Despatch is No. 18, and the date is the 22nd March 1883. That is all that I wish to refer to there. The next Despatch is contained upon the next Return to Parliament immediately following the long Return. I refer to page 5 of that second Return that is bound on to the case, the Minute by Sir Theodore Hope. It begins on page 3 and extends over pages 4 and 5. There Sir Theodore Hope deals with certain figures of salary which he proposes should be applicable to the civil engineer; the superiority of the pensions for civil engineers, and the starting age; and then it goes on, in paragraph 7 and paragraph 9, to deal with the differences in the salaries of the two Departments; and the effect of the general Minute is to advocate the equalisation of pay. I having been ruled that that would not reduce the Royal Engineer (the whole of that Minute I shall ask to put in, and have carefully read by the Committee), it points to the equalisation of pay, not of the levelling down of the Royal Engineer, which one honourable Member suggested was the effect of that other paragraph.

Mr. *Bristowe.*

740. It sounded like it?—I quite admit it; but it applies to the equalisation by the levelling up of the civil engineer.

Sir *William Plowden.*

741. Where is the passage in which you find the "levelling up"?—I should ask you to read the whole of the Minute; I will extract it.

Chairman.

742. I think you had better read it yourself?—On page 3 the first paragraph begins, "Although it may scarcely be possible to preserve."

743. Would you read the passage or extract on which you rely for the "levelling up"?—Appendix E. 5, page 1. I find I have given the wrong reference; it is explained now. What I want to refer to is No. 34, Public Works, which is a Despatch from the Secretary of State, to which Sir Theodore Hope's Minute is appended, and paragragh 3 of that Despatch is as follows:—"In requesting to be furnished with your Excellency's views on the point raised in regard to the first appointment of Royal Engineers and civil engineers to your Public Works Department, I would remind you of the discussions which have taken place on the subject of the relative positions of the civil and military members of the Department, and of the desire which has been expressed by my predecessors in office, in which I fully concur, to establish their relations on a perfectly equitable footing."

Chairman—continued.

Sir *William Plowden.*

744. There is no "levelling up" there?—No; but it will be found that it was admitted that it was impossible to reduce the scale of pay of a Royal Engineer, because the policy of the Government of India, as I should submit, was always to keep a certain number of Royal Engineers in the Department as a reserve; and it may be conceded in relation to that, there may be some questions which are outside the analogy between the two, but in reference to the duties which they perform in the Public Works Department, I say that the whole of those Despatches have proceeded upon the basis of giving them equal emoluments.

Mr. *Howorth.*

745. The word there is "equitable," not "equal," footing?—I distinguish their purpose. The "equitable" basis would be equality tempered by whatever small difference might be held to represent the extra service required for the Queen's Commission. They perform exactly the same service, you see, in the Department, and it is submitted that they should be on one footing. The only difference would be that which they ought to have in respect of the holding of the commission.

Sir *William Plowden.*

746. If you look to paragraph 12 of that Minute you will see it says, that it is impossible to put the two classes on a perfect equality?—I quite agree. I have tried throughout this case to indicate that there is, in a sense, a difficulty in putting them upon an equal footing, but having taken everything into account we say we are very much upon a worse footing than a Royal Engineer in the Department. We ought to hold a better relative position than we do.

747. I must say I should like you to complete that point about the "levelling up." We have not got it yet?—I will endeavour to do so.

Mr. *Bristowe.*

748. On page 5, paragraph 9, there is a reference rather in favour of your argument as to spontaneous retirement?—This is a Despatch (No. 50 P. W.) to the Secretary of State from the Government of India, dated the 16th December 1881, and signed by Lord Ripon and his Council. Page 5, paragraph 9: "As to spontaneous retirement, we are prepared to put civil engineers on the same footing as members of the Covenanted Civil Service, that is to permit retirement after 25 years' service, of which 21 must be active service." That, of course, would be carrying out Mr. Grant Duff's suggestion, that engineers who were to be appointed from Cooper's Hill were to be upon the same footing as the great Civil and Military Services. I am afraid I must ask leave to refer to some of the prospectuses.

749. I wish

Chairman.

749. I wish you would refer us to them as clearly as you can, and read anything you like from any of the prospectuses?—I am going to deal now with page 20 of the case, the inducement to join the service. I should ask the Committee to recollect here that this is in 1859, when the Department first became, so to speak, organised. At page 11 of Appendix A. 3 there are extracts from the Regulations for the Public Works Department applicable to Bengal, the North Western Provinces, and the Punjab.

750. No date is given here?—I think that was the Appendix to the 1859.

751. We will take the date to be 1859?—I have here the original. At page 11, in paragraph 3 of the Rules for Sick Leave, you will find there that the rupee is clearly equated to the £. What I propose to show now is, that the emoluments offered to the Stanley Engineers were believed by them to be equivalent to 10 rupees to the £.

Mr. *Bristowe.*

752. They were then?—They were at that time, undoubtedly.

Chairman.

753. You are referring to the passage, "that he shall in no case draw a larger sum than 6,000 rupees," then in brackets "[600 *l.*] per annum"?—Yes, that is so; in brackets 600 *l.* per annum. That, you see, is an equation of 10 rupees to the £.

754. That is a matter of argument; let us get the evidence?—On page 12 (the next page), Section 7, you will see just in the middle, about the third paragraph down.

755. I do not think you need elaborate this; because the attention of the Committee has already been called by Mr. Jenkins to that point; up to a certain date it was always customary to state rupees and pounds sterling as convertible?—I am much obliged to you, sir. The difference I put these gentlemen on is this: I say the working of those rules under which they joined, which are contained in these Appendices, resulted in an agitation which was laid by a Despatch of 1869 promising certain things. I say, subsequent to that Despatch, all prospectuses and all inducements which were held forward by the Government, which were in a contrary spirit, may be said to be misleading; that it was difficult for those who intended to apply for admission to the Public Works Department through any branch whatever to know which they were to be under; and that the meaning of the Despatch, which I submit was consistently to put the Royal Engineer and the Civil Engineer on the same footing, is entirely at variance with the prospectuses. That is my contention upon the documents as they stand; the documents offer certain inducements, the Despatches certain other inducements.

Mr. *Bristowe.*

756. They were engaged on the prospectuses, we may take it, I suppose?—I should say they were engaged upon the prospectus; but it is very difficult for them to interpret the prospectus

Mr. *Bristowe*—continued.

apart from the Despatch. No doubt the Stanley Engineers joined, say, subsequently to 1869, and the Cooper's Hill Engineers from 1871 onwards, joined, to a certain extent upon the faith of those Despatches, upon the report that was brought home to them; and, in that respect, we claim for them a better provision than those who are merely subject to the rules which have not been dealt with in Despatches. That will apply to the Stanley Engineers and the Cooper's Hill Engineers. With reference to Class 2, who are Indian-appointed engineers, I argue for them that they should be upon the same footing as the Stanley Engineers, whatever that may be. Where they have covenants they will, of course, be governed by covenants, but where they have none, where they were simply appointed, they took service upon the faith of the then existing rules, which had, I submit, been modified by the Despatch of 1869. Then, with regard to engineers appointed through Indian colleges in 1875, there they had a distinct warning that they would not be admitted to all the advantages, and they may stand upon a different footing; but the argument is, that you must have a department upon one footing to have it sufficiently efficient to perform the great works which are thrown upon it; because it very often has to control very large sums of money, and to carry out very large public works.

Mr. *Howorth.*

757. Which is the Memorandum that you say made it known to them?—That is a Despatch of Lord Salisbury's, published in "The Indian Gazette," 1st April 1876, page 153, Appendix F. 1. That same remark applies to Class 4. But in other classes there was no distinction made, except in the matter of rules, until 1884, and then there was a distinct difference made, because certain of the engineers who were appointed were admitted to the better pension rules promulgated in 1874, and certain others, who claim to stand upon the same footing, were not. Then with reference to Class 5, the civil engineers from Cooper's Hill, up to 1874, have been admitted upon their prospectus to furlough payments at the rate of 2 *s.* to the rupee, and the contention is, upon the Despatches, and generally upon the meaning of the prospectus, that they should have pensions at 2 *s.* to the rupee, as well as furlough payments.

Mr. *Bristowe.*

758. Do, as a matter of fact, those appointed in 1874 get pensions at the rate of 2 *s.* to the rupee?—No; no one does, only furlough. Then Class 6 I should ask your particular attention to for one moment. They were the engineers from Cooper's Hill in 1875. They are in this unfortunate position, that the official prospectus which was issued that year inviting candidates for Cooper's Hill contained a warning as to the furlough being paid on the current rates of exchange, but there is an official book known as "The Cooper's Hill Calendar" (a copy of which I should like to put in), which every student was bound to provide himself with, and that calendar does not contain the warning reference.

Mr. *Bristowe*—continued.

759. Is that warning contained in this case?—Yes; in Appendix A. 12, page 97, "Chapter 10," it is headed. The difference between that and the calendar printed by authority was, that in dealing with the furlough allowances the calendar does not contain that warning, and so those gentlemen, it is contended, stand upon the same footing as the 1874 men; that is to say, that they should have their furlough certainly paid in sterling. With regard to pension they stand upon the common ground.

Chairman.

760. As a lawyer you do not put it that there is any legal obligation, or any implied contract upon the part of the Secretary of State to pay them in sterling, do you?—No; not these 1875 men, because the official prospectus, no doubt, would be a document superior in authority to this calendar, although that was published by authority, and every student was required to have it; but I should say that it was a very strong case where the men, relying upon their calendar, went into this college and then found themselves debarred by a prospectus which possibly they may not have seen. That, possibly, may be their fault.

761. Did either the students, or the professors, or the Secretary of State, or the officers of the Government of India at that time, ever dream that the relation between the rupee and the pound sterling which had then subsisted so long would be so seriously disturbed as it has been?—I think we misunderstand each other. The last class was when it was beginning to depreciate, but I follow your remark, and I should say that neither party ever contemplated that the rupee would be in any relation to the pound other than that as 10 or thereabout, and that these warnings were put in simply for the reason of safeguarding the Government against a rise which might possibly happen, and that the contract is really what was in each man's mind, the common ground of 2 *s.* to the rupee. That is the real contract, I should submit.

Mr. *Bristowe.*

762. They contemplated a rise, you think, rather than a fall?—Yes, I think so.

763. At any rate, that is your opinion?—In one case at the date of the issue of the prospectus the appreciation was as much as 40 *l.* in 500 *l.* Then with reference to the gentlemen who came in, I should like to remind the Committee of one other thing with reference to these Cooper's Hill prospectuses; that is, that men who were going with Cooper's Hill had to prepare themselves years before, and who would have begun to prepare themselves under one prospectus found themselves committed to a career and then had the conditions of that career altered under another prospectus. It seems to me to be a case of hardship, if nothing else. Then with reference to the gentlemen who come after 1876, their case must stand entirely upon the general equity, which they contend is in their favour; namely, that they should be put upon the same footing as the best engineers in their Department.

Mr. *Howorth.*

764. Is the prospectus under which that class of gentlemen come in the case at all?—The seventh class.

765. Yes?—It is the same as Appendix A. 12. That, substantially, was then repeated for future years, and that contained warnings both as to furlough and as to pension; that they would be paid at the Home Treasury at the rate of exchange. That governs all the men subsequent to 1874 in one contention, and subsequent to 1875 in another.

766. There is a distinct provision to that effect, is there?—There is. You will find it at page 97 of the Appendix, Chapter 10, Section 26 B. There is there a warning that furlough will be paid at the Home Treasury at the rate of exchange.

Mr. *Bristowe.*

767. It is not a warning, it is an absolute statement, is it not?—It is an absolute statement.

768. I mean, it is not a warning; it is a distinct notice; it is not a warning, but it is that it absolutely will be done in sterling?—That is so. I mean that it is a warning to gentlemen who were going to take service that this was a rule of the service; that is the only way in which I use it "as a warning." At page 100 you will find a document as to pension. The only thing I have to add is, to impress upon the Committee the effect of those Despatches. I will not ask to go back upon the sections I have read; but my contention is that the Despatch of 1869, read, with the answer to it, supports the contention put forward.

Mr. *King.*

769. May I draw your attention to the Despatch on page 23, that you have not quoted yet; Lord Mayo's Despatch?—Yes; I am much obliged to you. This is in Appendix E. 3; here it is epitomised.

770. Will you read Section 16?—Yes; it is a very important section. There is a misprint which I must call your attention to on that page 23, paragraph 3, line 4.

Chairman.

771. Will you state to the Committee what the misprint is?—Yes; when I read the real paragraph you will see it: "With reference to paragraph 4 of your Grace's Despatch under reply, we may remark that we have already recommended the equalisation of the pay of the military branches," it says: it should read "of the military and civil branches." A reference to the Despatch will show that that is a misprint; "the military and civil branches of the Department, and we are gratified to find this proof that Her Majesty's Government are likely to receive that proposal favourably; on this point we only add that we shall be glad to see some plan adopted by which the furlough allowances of civil engineers shall be equalised with those of military officers in the Public Works Department, and so far as practicable the advantages of pension also." I think I did read it, but I had not sufficiently emphasised that Despatch.

Mr. *Bristowe.*

772. Then we are to take it that those recommendations, which you have read from time to time,

Mr. *Bristowe*—continued.

time, have never been carried out; they have only been recommendations which they seem all to have agreed in, but they have never culminated in anything?—That is so; but there have been communications, from time to time, to the effect that they would be acted upon equitably when the rules were altered in 1884.

773. Twenty years have elapsed then?—Yes; but there has been a chain of Despatches which brings you down to 1887, which is only three years ago.

Chairman.

774. While that correspondence has been going on, has the position of the engineers been progressively and continuously improved?—It has been improved; it was improved in 1884. In the rules that I have alluded to I have pointed out some of the anomalies. It is not the whole department that has been admitted into the privileges of the 1884 Rules.

775. Is the change made in 1884 the only change which has been made in the position of the engineers?—No, that was the main one. There was a minor one, to which I drew attention in 1872.

776. You need not go into particulars?—No; that is to say, the improvements that have been going on concurrently with those Despatches have been improvements, but not in the complete sense of equalisation.

777. I understand you to say that, although improvements have been made, they have not gone as far as the promises would have reasonably led the engineers to expect?—That is so. I should submit that the improvements, upon the face of them, would indicate that.

778. Have you now concluded your evidence in chief?—I have nothing more to add.

Mr. *Bristowe.*

779. I have observed through all your arguments, that you maintain that the present value of the rupee bears very hardly upon those who have pensions and furlough?—Yes.

780. I want to know whether it is your view that it does not go hardly upon those members of the service when they are out in India; whether the payment of the rupee is not equally bad, as regards the gentlemen in India, as upon the pension and furlough; I only mention that; I want to know your view upon the point?—That is so; I have tried to keep within the limits of the contract. Your point, as I understand it, is this, that the rupee, when a gentleman sends home money from India, has fallen to him just the same as to the others.

781. You make it a grievance that when gentlemen are on furlough or have pensions, they are then very much affected by the rupee, that is as to the rate of depreciation of one-third, or whatever it is?—Yes.

782. Is it your view that they are also affected by the fall of the price of the rupee when they are in India, or is it not?—I should say that they are in two ways.

783. But you do not make it your case?—No; I do not make it my case.

784. It is only with regard to furlough and pension that the grievance comes in, as to the rupee and the fall in silver affecting the price of the rupee?—That is so.

Sir *William Plowden.*

785. I do not at all follow you in regard to your statement as to the gentlemen who are entitled to certain benefits of pension, not being able to get those full benefits because they cannot count furlough towards it; would you explain it to me fully now?—There are two sets of rules; one, a rule which does not allow a certain class of engineers to count furlough for pension, and another which does allow him to count furlough for pension. An engineer admitted to the better rules which were instituted in 1884, if he cannot count furlough as service for pension, cannot get the full benefit of those rules.

786. Quite so; but is he not only admitted to a certain portion of the benefit; you say he is admitted to the benefit of pension; but he is not admitted to the benefit of counting furlough towards service for pension; is that the case or is it not?—I am not quite clear upon that point. My impression is, that he would be able to take the full benefit of those rules only; as you put it, he is not admitted by the old rules to come under the new set of rules for furlough and pension.

787. Is not that the whole crux of the position; what is he entitled to receive; you have not brought that out clearly in your evidence; that is why I am asking you this question?—He is entitled to receive the better pension.

788. That is all?—That is so; but the distinction I want to point out is this, that he is not entitled.

789. I quite understand that point; I want to know what is the exact position of these gentlemen you bring before us?—I believe you are correct; he is admitted to the benefits of 1 and 2 on page 14; that is the better pension rules as to payment, but not as to the right of counting furlough for pension, which is the 3rd rule.

790. That being the case, he does not lose anything, because he has got nothing to lose?—Yes, he loses this; instead of serving 18 years he has to serve a full 20 for the same pension as that for which another man has to serve only 18.

791. But he does not lose anything, because he is still in the same position as he was before with regard to furlough?—I agree.

Mr. *King.*

792. I will ask you, in regard to that one question; suppose he was retired under the 55 years of age rule, he then might suffer seriously as to pension from not having the furlough allowed to count for service, might he not?—Certainly.

Sir *William Plowden.*

793. He loses something he has not got?—It may be absolutely impossible for him to get the benefit of these pension rules, of which he intended to have the benefit. Under the rule that he must retire at 55, he may, by not being able to take furlough to count for service, be precluded from every benefit that can be got under those two rules; he may be retired before he comes under that pension rule.

794. Then you spoke about the great disadvantages of applying different rules to men engaged in the same responsible work; it is not absolutely the fact that in the Indian Administration

Sir *William Plowden*—continued

tration (take another department, if you like, of Civil Administration) you have got men who are governed by different rules of furlough and pension, and who are engaged in exactly the same responsible work; you find no actual difficulty resulting from this difference, do you?—I should submit that the engineers' work stands upon a different footing.

795. I must keep you to the point, please?—I believe there are anomalies existing in every department, but the engineers' department is essentially one where men have charge of very important works, and have very great opportunities of wasting public moneys; not so much from dereliction of duty as from a want of spirit in their work; and I think a dissatisfied department which arises from these anomalies of the rules is a very great detriment to the public service.

796–7. That would be a very serious position, of course, if that were the case?—There will be evidence upon that.

798. Do not you find that in the non-regulation provinces, as contrasted with the regulation provinces, you have got exactly the same responsible work, entrusted to men who are governed by different rules in regard to furlough and pension, as is entrusted to men on much happier terms of furlough and pension in the regulation provinces, and no evil results from it. If anything, the non-regulation provinces have been rather better administered than the regulation provinces?—That may be so. I have no personal knowledge of those provinces.

799. If, then, that was the case, would you have any objection to the difference you have suggested?—Yes; I should distinguish. I think if you can point me to an engineering department of equal magnitude which is upon the same anomalous terms as to its rules as this, then I should agree; but unless the departments were on one footing with regard to the duties they have to perform, I do not think the analogy would take us far.

800. Would you consider that the engineering departments in their varied classes are of greater magnitude than the administration departments?—The administration departments which are ruled over by uncovenanted servants, you mean.

801. Quite so?—I should, certainly. For instance, an engineer is very often his own magistrate.

802. I am referring to magistrates and collectors?—An engineer is often a magistrate as well as an engineer; amongst his numerous duties he does his own magistracy work.

803. I do not think you are following me; in the Civil Administration, am I to understand from you that you look upon the engineering department as holding appointments of greater value and importance than members of the Civil Administration in the non-regulation provinces; the Deputy Commissioners who have subordinate to them these very gentlemen of whom you are speaking?—I should submit that the engineers' department is the most important one. It has developed the resources of India more than any other.

804. I have no further question to put, then, if that is your view?—That is my view.

Mr. *King*.

805. Speaking as to that, you do not know anything about it, do you?—No; I am only asked an opinion.

Viscount *Baring*.

806. This correspondence, which I find in Appendix E., on page 31, led to considerable alterations in the pay and pension rules, did it not, in the year 1884?—In the year 1884 there was a material alteration, which will be found at page 14 of the case.

807. The result was to place a Civil Engineer in a better position than he was in before?—Undoubtedly.

808. Generally did it place him in a better position with regard to the Royal Engineer?—In so far as emoluments and pay; pension and leave allowances were increased by the rules of 1884, they were approximating, the Civil to the Royal; that is undoubtedly so.

809. On page 31, paragraph 7, I find this statement: "While maintaining the existing pay of the first and second grade executives at 950 rupees and 800 rupees per mensem respectively, I sanction your raising the third and fourth grades to 700 rupees and 600 rupees;" did that raising of the grades and the increase of pay apply to the Royal Engineers as well as to the Civil Engineers?—The raising of the grades in the department would apply all round; to the Royals as well as to the Civils, and the Royals would draw that pay *plus* their military pay.

810. You said the first idea was to make a level, by reducing the pay of the Royal Engineers; I want to understand the alteration about drawing pay; I agree with you in the conclusion that pay and pension may be continued in 1874, so that nothing was done in that direction in equalising the pay of the Royal and Civil Engineers?—That is so.

811. Was anything done to place the Civil Engineers in a better position than the Royal Engineers at that time?—That was in November 1884, and it was in November 1884 that those better rules were brought in.

812. Which applied equally to all engineers employed in the Public Works Department?—Certainly, Royals and Civils.

Mr. *Howorth*.

813. I did not quite understand the beginning of your argument, in which you seemed to explain the redundancy of the staff in India, very largely by the fact that the inducements to retire were so small in consequence of the reduction in the value of the rupee; but I find, on page 121 of the case, that as early as 1871, and before this fall in the rupee had taken place, there is a paragraph which explains that there was already a great redundancy, and that it was part of the policy of the Government distinctly to prevent men retiring until as late a period as possible?—Will you refer me to the passage you allude to.

814. Section 23, on page 121, "The Government has, in framing its Civil Pension Code, apparently made it one of its main objects to keep a man in its service. Every possible obstacle is placed in the way of a person retiring on pension. To such an extent is this carried, that no person, until certain concessions were lately

Mr. *Howorth*—continued.

lately made in the case of the Cooper's Hill students and the forest officers trained in Europe, could voluntarily retire on pension until he had served 30 years in India, or had attained 60 years of age, whichever might happen first, unless in the latter case he was declared to be 'inefficient owing to age or infirmity.'" You will see on page 129 (B. 5) there are four different reasons given for this redundancy, but not one of them is given as in connection with the fall in the value of the rupee?—That is quite so; but I should rather read a little further on; if you read the second heading of that you will see, "Hasty and irregular recruitment during the period of expansion, and even somewhat later, accompanied by expectations authoritatively held out to recruits of a rate of promotion equal to that which prevailed during the period of expansion." The promotion did not come, and therefore the engineer who joined the department had either to remain in the lower grade or else retire; he was prevented from retiring, what by? The fact that he had not got a pension which he could look forward to with any certainty.

815. The position you put is this: that in 1871 the redundancy of which you complain was already so much, that you have a special paragraph in an official report stating the fact, and also giving reasons; that was actually before any fall in the rupee had taken place at all?—To which are you referring now? The date of the minute from which you quoted on page 121, is 1877 probably. Those paragraphs are on the permanency of service, which is a point one would have dealt with longer only, I rather understood that the right to a pension, subject to the character of service being satisfactory, is admitted as one which cannot be denied.

816. As I understood, one of your main positions in this: great inconvenience is caused by the enormous stagnation of this class of service?—That is so.

817. If that stagnation had already occurred and was a grievance at a period as early as the fall of the rupee, I do not see how you can attribute it to the fall in the value of the rupee?—The stagnation arises from two or three causes. In 1869 the discontent in the department had raised a spirit of dissatisfaction, which was allayed by a despatch, from which I have quoted. That is going back as far as 1869; but the number of candidates then coming forward for appointment was insufficient. That period was one when the policy was largely to develope public works, and at that time the Government of India took into its service (as we say, and, as I think, the despatches in a great many cases intimate injudiciously) a large number of men under expectation of promotion, and so on, which have not taken place; and it is they who have caused the block. Now, when we want to see why it is that there is a block of this kind, and why men will not go out and will not retire, surely we are entitled to say, as the men themselves say, that it is the want of a certain pension which prevents them so doing; uncertainty of pension, caused by the fluctuating value of the rupee.

818. You have it laid down here, as a definite policy of the Government, that men shall not retire until they have served the utmost limit of service that can be got out of them?—That is, perhaps, an unfortunate quotation. If you had the whole minute it would be better. I think what Sir Andrew Clarke meant there was to animadvert rather upon the system of government which had ended in that block; that is to animadvert upon the system of keeping men in the department irrespective of age and standing. If you will refer to other paragraphs, you will find that he indicates that there should be a rate of promotion, which is entirely inconsistent with the theory of keeping men in the department to such an extent as you seem to think he advocates.

819. We will take that to be your argument. Now turn to another point. What class of men enter through these Indian colleges. Is the examination, or are the conditions of entry as severe as in the English colleges?—I have no means of answering that question. You will have Indian college witnesses before you, and they will be able to tell you what the examinations are.

820. I notice in most of these despatches there is a very great distinction made between furlough and pension when the question arises as to equating the two services; and that whereas it is continually allowed that it would be fair to equate the payment of the two services, it is not possible to equate the furlough and the pension, because of the different conditions under which the Royal Engineers serve?—May I ask you to be good enough to refer me to the passage, because I can answer better in that way?

821. Page 148?—You are speaking of paragraph 16, are you not?

822. Yes?—The distinction there is between furlough and pay allowances and the pension. They take two classes; they say they assimilate one entirely, and as far as practicable the other. I indicated that I thought there must always be a difference in connection with the liabilities which a Royal Engineer comes under. As a matter of fact, however, the Civil Engineer has to give in many respects similar service. The Government are entitled to his services if they call upon him, and he often is sent across the frontier. Therefore, I should argue from that, that the pension of the Civil Engineer should be assimilated to that of the Royal Engineer, finding what the difference is that should be made in respect of the Queen's Commission. That is my argument.

823. But apart from the Queen's Commission altogether, there is the fact that in the Royal Engineers there is compulsory retirement at a certain definite age, which prevents a large number of men from acquiring the higher grades. Is not that an extremely material element in the adjustment of the two classes?—Undoubtedly, but the same applies to the Civil Engineer; he has to retire at 55, and the state of his service, like that of the Royal Engineers, is such that he is absolutely debarred from getting to the top.

824. Is there a compulsory age for retirement?—Yes, 55.

 825. How

Mr. *Howorth*—continued.

825. How long has that been so?—That was introduced into the rules in 1885.

826. Then when most of those grievances arose there was no such compulsory retirement on the part of the civil engineers as there is in the case of the Royal Engineers; I mean to say you would allow that up to that date at all events there was a very large distinction between the two classes of men in that respect?—Undoubtedly; the civil engineer would be contented with the pension that was held out to him in his prospectus if it was paid to him at 2 *s.* to the rupee; that is all the case comes to, that they shall be under their present rules only, put upon the basis of drawing an assured pension at the rate of 2 *s.* to the rupee.

827. How do you propose to reconcile the class of clause 6 on page 21 with Lord Salisbury's Minute on page 153?—Lord Salisbury's Minute, if you will notice, only applies to Indian appointed engineers; it does not apply to Cooper's Hill men; you see paragraph 11, F. 1, page 153, deals with it; that applies to Indian appointed engineers only.

Mr. *King.*

828. Only one question with reference to the question Mr. Howorth put, as to the Roorke engineers; can you tell the Committee from your own knowledge whether there are any men from Roorke holding identical posts practically with those from Cooper's Hill?—Yes, I can say that. I can say that there are Roorke men who have Cooper's Hill men subordinate to them, that is a fact.

Mr. JOHN PATON DAVIDSON, called in; and Examined.

Chairman.

829. WHEN did you join the service of the Government of India?—I was appointed to the service on the 1st October 1874.

830. Did you join Cooper's Hill after a competitive examination?—I did. I was in the first lot that entered the college.

831. When you joined the service of the Government of India, had you read any prospectus?—I had. I had carefully studied the prospectus.

832. Have you got before you the prospectus on which you entered?—Yes.

833. Where is it?—At page 57, Appendix A.

834. That was your prospectus?—I think the prospectus begins on the next page; page 58.

835. But that is called the "revised prospectus for 1871"?—I would explain that we entered on a prospectus of 1871, which was altered after we entered the college. The first batch of Cooper's Hill men objected to certain of the furlough rules contained in the original prospectus. We did not approve of going out to India on one year's leave after 10 years' service, which was not to count for pension; and we represented to Colonel Chesney that on those terms we were not prepared to pass through the college; we would rather leave the college at once. What action Colonel Chesney took, I am unable to say the result, however, whatever he did, was this, that we were told that we should have more favourable rules; the prospectus of 1872 was in print at the time that our representations were made, and so the altered rules first found a place in the prospectus of 1873, which is really the prospectus of all the Cooper's Hill men, from the first year downwards up to the time of the prospectus being altered altogether. Reference to the furlough rules and prospectus of 1871 will show that we were given a lump sum furlough pay; 2,000 rupees, &c.

836. Where are you quoting from now?—At page 3. It follows in the revised prospectus of 1871. As regards leave rules, we were told we should get one year's furlough after 10 years' service, and as to the rate of furlough pay, it is laid down, "To an officer proceeding on furlough, whose salary does not exceed 200 rupees per month, one-half of his salary; provided, however, that it shall not exceed 800 rupees or 80 *l.* per annum. If the absentee's salary shall be above 200 rupees, and not exceeding 400 rupees per month, he may be granted an annual allowance of 1,300 rupees or 130 *l.* Above 400 rupees, and not exceeding 700 rupees per month, he may be granted an annual allowance of 2,000 rupees or 200 *l.*; above 700 rupees, and not exceeding 1,200 rupees per month, he may be granted an annual allowance of 3,000 rupees or 300 *l.*; above 1,200 rupees, he may be granted an annual allowance of 4,000 rupees or 400 *l.*"

837. What conclusion do you, or did you, draw from that?—That I was going to get my furlough pay in sterling, at 10 rupees to the pound sterling. We had no objection to this, viz., furlough pay at sterling: we objected to the fact that we should go out for a long service, and at the end of 10 years we should get one year's furlough, which was to count for nothing; and we were not prepared to accept service on those grounds.

838. However, you did get those rules of 1871?—We got the revised rules. By this I mean that we, the first batch at Cooper's Hill, obtained the revised rules, as given in the prospectus of 1873. The prospectus of 1873, in the matter of furlough rules, cancelled prospectuses of 1871 and 1872.

839. How is your furlough pay paid now?—My furlough pay has, after a service of 15 years in India, eventually, on strong representations, been given me at the rate of 10 rupees to the £. sterling.

840. Then you have no complaint to make about that, have you?—I have. I complain that I have been kept out in India for numbers of years because I could not afford to come home. I ought to have been able to get home after eight years' service for two years, but I could not afford it, because the Government of India distinctly refused to recognise my claim to furlough pay at sterling.

841. Being still in the service of the Government your pension question has never yet been raised?—It has never yet been raised, but I am given to understand that it will be paid at the rate of exchange, which is not the expectation that was held out to me when I entered the college.

842. Will you point out the passage in the prospectus

Chairman—continued.

prospectus which you think entitles you to a sterling pension?—I would ask the Committee to follow me through the prospectus The first paragraph of the revised prospectus for the year 1871 tells me this ——

843. Where are you quoting from?—Page 58, Appendix A. 8. The first paragraph of it tells me in 1871 that my salary on the 1st October 1874, starting as an assistant engineer, second grade, will be "4,200 rupees (about 420 *l.*) per annum." I arrived in India on the 15th of November 1874, and I found that my 4,200 rupees was not 420 *l.*, or anywhere near it, but 385 *l.* a year. I further would draw your attention to paragraph 33 of that prospectus, in which I was distinctly told that my salary and pay as chief engineer, first class, namely, 30,000 rupees per annum, would be in sterling money, or, rather, that the sterling value might be arrived at by taking 10 rupees as equivalent to, or "nearly" equivalent in value to 1 *l.* sterling, which gives me a very fair idea that if I rose to "chief engineer, first class," I would get something approximating to 3,000 *l.* a year. I was told in a fly-leaf, which was attached to my prospectus, that my promotion would come ——

844. I am afraid I must stop you about promotion. That is not within the competence of this Committee?—Any how, I was told that I should get these salaries rising from 4,200 rupees (about 420 *l.* a year) to 30,000 rupees, or 3,000 *l.* a year, roughly. I am at present drawing 700 rupees a month, or 8,400 rupees a year, and I have risen, in 16 years' service (as it will be on the 1st October), from 385 *l.* (which was 35 *l.* below, or roughly 35 *l.* below what I was promised), to barely 600 *l.* a year. I have risen altogether about 180 *l.* in that time. I was educated in England; I was induced to go to the college, and it naturally follows that I shall have expenses in England, which, calculated on the salary which was offered to me, it would be possible for me to meet. I have remitted money home, which I did at 1 *s.* 4 *d.*, 1 *s.* 4½ *d.*, or 1 *s.* 5 *d.* to the rupee; my present salary of 700 rupees a month, instead of being worth, as it ought to be, 840 *l.* a year, is barely equivalent to 600 *l.* a year. My furlough pay has, as I say, now been granted. My furlough pay at the present time is nearly 420 *l.* a year, because under the leave rules I had not quite completed three years in the grade of 700 rupees a month, and my furlough pay is half the average of my previous three years' salary.

845. With regard to your pension, do you put forward a contention that your pension will have to be paid in sterling?—Most certainly I do. My salary was stated to be, on starting, about 420 *l.* a year; and then in paragraph 33 of that prospectus, which I have already referred to, page 62, A. 8., I was distinctly told that, "10 rupees are nearly equivalent in value to 1 *l.* sterling." I was in the college from 1871 to 1874, when I passed out; and in the 1874 prospectus the same statement was made.

846. Was not there in the prospectus when you went to the college a statement that on your retirement you would have the option of drawing your pension either in India or from the home treasury?—I quite admit that.

847. And that payment in England would be made at the rate of exchange, which is annually fixed after communication with the Lords of the Treasury, for the adjustment of transactions between the British and Indian exchequers?—I quite agree to that; but I fail to see how I was to arrive at the fact that I was to be paid at the rate of 1 *s.* 4 *d.* or 1 *s.* 4½ *d.* to the rupee, when I am told that my salary is virtually sterling, and my furlough pay is absolutely sterling, and I could not get that furlough pay for 11 years after I entered the college; I could not get furlough until I had put in eight years of service in India; that would be the 1st October 1882; but the Secretary of State gave me to understand that the value of my salary, whatever I might be drawing at that time, was virtually sterling money: 10 rupees to the pound absolutely. Of course I should draw half that at home as my furlough pay was stated to be half my salary. My pension is also stated to be half my salary; under the leave rules, as they exist in my case, it is possible for me to take two years' furlough in England, draw my furlough pay at 10 rupees to the £. sterling during this entire period, and retire at the end of it, without returning to India; yet the day that my furlough ends, and I claim my pension, it is paid me at 30, 40, or 50 per cent. discount, and then I am told that I ought to have understood it from my prospectus; I say I could not understand it; it is quite inconceivable that, the Secretary of State should have meant me to understand it in this sense.

Mr. *Buchanan.*

848. When did you say the claim to furlough pay in sterling was acknowledged?—My furlough pay in sterling was acknowledged some time last year; I think in June.

849. To be paid in sterling?—To be paid in sterling on a representation which I made after I arrived at home.

850. Personal representation?—I wrote to the Under Secretary of State. I had previously sent in memorials from India, which had failed to elicit any reply except expressions of sympathy on the part of the Secretary of State.

851. Do not other gentlemen in the same category with yourself get paid furlough pay in sterling?—Only after my representation. Many of them I can state were at home on sick leave on a quarter of their salaries, because they were sent home sick, and had to leave on quarter salaries, which were paid at 1 *s.* 4½ *d.* to the rupee, while they were legitimately entitled to 2 *s.* to the rupee.

852. Then no one in the same class as yourself got furlough pay in sterling until you obtained it last year?—Until I obtained it last year.

Chairman.

853. It was then given on the ground that the prospectus did amount to a personal undertaking to pay the furlough pay in sterling, was it not?—Yes.

854. That was the interpretation finally put upon it last year by the Secretary of State, was it not?—That was the interpretation finally put upon it last year by the Secretary of State.

855. Since then it has been given to all those who come under the same conditions?—It has been given to everybody. I may point out to the Committee that representations by memorials had been made previously. I personally

Chairman—continued.

sent in a memorial, pointing out the same facts as nearly as possible, but I got no reply beyond one saying that the Secretary of State sympathised with me.

856. You hardly make it a reproach against the present Secretary of State that the grievance was not redressed sooner?—No; these memorials have to come through the Government of India. I do not know in what shape the memorial reaches the Secretary of State in the least; but the fact remains that when I got straight to the Secretary of State I then got what I had claimed previously; I could not get it before.

Mr. *Bristowe.*

857. Do I understand that you make it a grievance that you were paid in India, in rupees, in consequence of the fall in the rupee?—I do.

858. Your pay in India is inadequate, you say?—My pay in India is absolutely inadequate.

859. And you do not consider that it is in accordance with your prospectus?—No, I do not consider that it is in accordance with my prospectus. I consider that so far as he can do it, the Secretary of State ought to enable me to place in England a certain amount of money for my *bonâ fide* family requirements at the rate given in my prospectus, or what would be more equitable, he should give me compensation, in the shape of a personal allowance, sufficient to make good the depreciation, at the time, in the sterling value of my salary. A somewhat similar compensation, for retarded promotion, has been sanctioned to covenanted civilians in Bengal or Bombay.

Mr. *Howorth.*

860. Was this an individual concession to yourself?—It was first conceded to me, and it followed, as a matter of course, to all the men who hold the same prospectus.

Sir *William Plowden.*

861. This paragraph 33 that you rely on does not state that you will get these rates of pay, does it?—It is a paragraph which deals entirely with the future. I could not rise to "chief engineer, first class," until the expiration of a certain number of years; but I am told the sterling value of my salary may be arrived at by dividing it approximately by the figure 10.

862. At that time?—At that time. Of course, to me, even my starting salary was a future thing. I could not get it for three years after I entered the college, and it was to be worth to me 420 *l.* a year.

863. But you refer to this paragraph, and one has to read the paragraph as one finds it, and the end of it is that "10 rupees are nearly equivalent in value to 1 *l.* sterling." It does not say they will be 1 *l.* sterling?—No; but the paragraph deals with the future. I may say that I was already educated before I entered the college. I had already passed 21, for Woolwich. I understood that paragraph to mean that my salary as chief engineer, if ever I got to that grade, would be virtually 3,000 *l.* a year.

864. Does that paragraph deal with the future?—It gives the salaries of chief engineers, superintending engineers, and executive engineers of the various grades, all of them, even to my starting salary of 420 *l.* per annum as assistant engineer

Sir *William Plowden*—continued.

2nd grade, future events, as far as they concerned me.

865. As it is worded, does it not deal exactly with the present, and not with the future?—It did not carry that conviction to me nor to any other man I fancy in Cooper's Hill, nor to any of those who allowed us to go there; and the general public took it in the sense in which I took it.

866. Have you been unfortunate in your promotion?—Well, fairly so. I am only in the third grade executives.

867. Many of your own year are in the same position as you, are not they?—Yes, as far as I know.

868. Are you in the irrigation works?—In the irrigation works, Madras.

869. Do you see any prospects of rapid promotion, or do you think you are likely to be left out?—No, I fancy when I take my next furlough three years hence, I shall be home probably with the same furlough pay that I am now drawing.

870. Can you account for this block of promotion?—I fancy the real truth is this: Cooper's Hill was founded to meet a want, by reason of the failure to get men of the Stanley Engineers; we went into Cooper's Hill, and were to go out in three years; the Government of India could not afford to wait three years, and while we were passing through our course at Cooper's Hill they filled up the department with men about the same age as ourselves; and when we got out in 1874 (the first batch), we found the rate of promotion which had been laid down in our prospectus was more or less fulfilled in the case of the men we already found in the department, and being within a year or two of our own ages, they have blocked us ever since; and the moment the rupee began to fall promotion became infinitely worse, because nobody would go.

Mr. *King.*

871. Referring to Sir William Plowden's question as to the 10 rupees being nearly equivalent to 1 *l.* sterling, only referring to the time at which the prospectus was issued, is it not the fact that the Government of India recognise that it refers to the present date, by their recent decision in regard to payment of furlough?—Yes; I am paid my furlough pay now at 10 rupees to the £. sterling. I draw it at the present moment.

872. I will ask you one more question on that. Have those who drew their pay (people in the same position as yourself, and therefore admittedly entitled now to draw it at 2*s.*), at a less rate than 2*s.* per rupee had any compensation paid to them?—I believe all have been paid their arrears of furlough.

Chairman.

873. In the despatch giving you the furlough pay at sterling rate, were any reasons given for that by the Secretary of State?—Nothing in my letter. It simply said: Under the circumstances represented in your letter the Secretary of State has authorised.

874. Then the Secretary of State is not responsible for the supposition that the addition to paragraph 33 is the reason for it. Was the statement in paragraph 33 ever given to you officially as the reason for the concession?—No; my letter

Chairman—continued.

letter merely said, that under the circumstances that I had represented.

Mr. *King.*

875. But among the circumstances that you

Mr. *King*—continued.

represented was that paragraph, was it not?—It was; I quoted that paragraph in my letter.

876. And it was under those circumstances?—It was under those circumstances that I was given my furlough pay.

Mr. H. A. S. FENNER, called in; and Examined.

Chairman.

877. WHEN did you enter the service of the Government of India?—In 1861.

878. How did you enter?—By competition as a Stanley engineer.

879. In London?—Yes, in London.

880. Were you one of the engineers who are called in the public service Stanley engineers?—Yes, Stanley engineers.

881. I do not want you to repeat what has been said already by Mr. Read and others; but you had a covenant, had you not?—Yes.

882. A regular covenant?—A regular covenant. In my covenant nothing was mentioned really about the services generally. The only thing it said in the covenant was, that not being permanently appointed to the Department, I should be eligible for the rules which were then extant. That is all it says in the covenant, otherwise my covenant was simply an agreement for one year only.

883. Is the covenant under which you entered the service printed in this case or Appendix?—Yes, I believe so.

884. Can you refer us to it?—It is at page 52.

885. That is the form of your covenant?—That is the form of the covenant.

886. Is it not the fact that in that covenant you are referred to the rules in force?—Yes, the covenant taken as a whole really refers entirely to my probationary period. It simply states in one part of it that I shall be brought on to the Government establishment.

887. Is not this the paragraph to which you refer: "He shall be placed on the establishment of the Public Works Department as an assistant engineer third grade, and shall thereupon become entitled to all the rights and privileges in respect of pay and promotion accorded by the rules and regulations of the Public Works Department for the time being of the presidency in which he may be required to serve, and to leave of absence and retiring pension under the leave and pension rules of the uncovenanted service for the time being?"—Yes; though I do not think in my own covenant that was stated so fully; I do not think so. We have not been able to get a copy of the covenant of 1861, but I think I am right in stating that that is so.

888. You have no special ground beyond that which has been stated by Mr. Read, for claiming to be entitled to a sterling pension?—Excepting the prospectus. In the prospectus it was stated what our emoluments would be. There was also a foot-note showing that the pension would be 500 *l.* a-year.

889. That is what has been so repeatedly stated in this inquiry?—Yes, quite so

890. That rupees and pounds sterling were treated

Chairman—continued.

as convertible terms in the document under which you joined the service?—Yes, or otherwise we were led to suppose that our emoluments would be so many rupees which were equal to so many pounds; but as regards the covenant I freely admit there is nothing whatever in the covenant itself. In fact if the covenant itself is read you will see that it is entirely as regards our probationary period, nothing else. As it was I was, never a third-grade assistant engineer. I was brought direct on as a second-grade assistant, so that the covenant is not quite the same as my own. Further, I believe in the prospectus for every year pounds sterling were put before rupees.

891. Are you now under the more favourable leave rules which were granted in 1884?—Yes; but not as regards furlough on sterling pay, as Cooper's Hill men, 1870 to 1874, enjoy.

892. Why not as regards furlough?—That I really cannot state. Our original prospectuses simply led us to suppose that we should get 10 rupees to the £. and then when Mr. Dangerfield (who was, I think, the first case in point) got sterling allowed him, the Stanley men were not so allowed; but our prospectuses are practically the same.

Mr. *King.*

893. Do you mean in not having the more favourable furlough rules, that you are not allowed furlough pay at the rate of 2 *s.* to the rupee?—Yes.

894. And not allowed to count for pension?—Oh, no, my furlough counts for pension; four years out of 30.

Chairman.

895. I was going to ask you about the favourable leave rules of 1884. The payment of the furlough allowances at the rate of 2 *s.* to the rupee is not one of those rules, is it?—No; it was only in the prospectus of Cooper's Hill, from 1870 to 1874.

896. You did not join on that prospectus, did you, as a Stanley man?—No, certainly not.

897. Then that could not affect your rights, could it?—No, certainly not. It is only a question of interpretation of what our emoluments should be, as inferred from the advertisements and prospectuses under which we joined. As regards rights, I suppose ours is a weak case.

898. Will you just look at page 14 of the Case, which refers to the more favourable leave rules of 1884?—Yes, I have it.

899. Do the Stanley engineers get the advantages of all those three rules?—Yes, we get all the advantages of those three rules, but we do not get the sterling furlough pay; in fact, it is only Cooper's Hill men, from 1870 to 1874, who get it.

Chairman—continued.

900. Is not it given to the Cooper's Hill men, from 1870 to 1874, on the ground that in their prospectus there is what is virtually an undertaking to pay furlough at that rate?—Yes, quite so.

901. On the ground of the special terms of their prospectus?—Yes; practically on its legal interpretation, not on its general interpretation; if the latter, I should be eligible for sterling furlough pay.

Mr. *Howorth.*

902. What presidency are you in?—I am in the Bengal Presidency, in the Punjab Province; I am superintending engineer of a Frontier Circle.

903. Your contention is that equitably you ought to be placed precisely on the same footing as these men of 1870 to 1874?—Oh, yes, certainly I think so; and also, of course, our great grievance is that when I entered the service it was actually in print, as you will see stated here, that I should get 500 *l.* pension. Now, according to the rules, I am only eligible for 433 *l.*, at 1 *s.* 4 *d.* per rupee.

Chairman.

904. You mean 5,000 rupees?—Five thousand rupees, yes; but it was stated in a foot-note, when I joined the service, that I was really eligble for 500 *l.*

905. Five thousand rupees, and then 500 *l.*, in brackets?—Yes, quite so.

906. It is the same thing that has been before us several times?—Yes.

Mr. *Howorth.*

907. Do you suffer from the congestion in this province, that is complained of in the others?—Yes, very much so; and it is no doubt due to the fact that the senior men cannot retire, because the rupee might fall to eight annas, and we should be practically pensionless; so that no man can possibly retire unless he has considerable private means; and that no doubt affects the promotion a great deal.

908. The whole of the civil engineers in India are not on one list of promotion, I presume; you are divided, are you not?—Superintending engineers are on the same Government of India list, and that deals with the entire Bengal Presidency. The executive engineers are on a separate, and usually a provincial list. Of course, in the case of any senior superintending or chief engineer retiring from a province, if possible, promotion is given in the province, so that that really gives promotion throughout.

909. What I mean is, that there may be greater congestion in one province than in another?—Very much so, and of course at different times that may happen, and so affect a man's after prospects. My own is a case in point; I should be chief engineer now, if it had not been for having been five years in one grade, when I think I may say I was giving my best service to the Government.

910. How many years' service have you now?—Twenty-nine years' service.

911. What pension are you entitled to now?—Six thousand rupees a year, being a superintending engineer; at the current rate of exchange.

Mr. *King.*

912. When you entered the service in 1861 the rupee stood at 2 *s.* 4 *d.*, did it not?—Yes.

913. Roughly speaking?—Yes; I think it was 2 *s.* 3 *d.*

914. It may be that in 1861 the rupee stood at 2 *s.* 1 *d.*?—It has stood in my time at 2 *s.* 3 *d.*

915. At any rate you never contemplated the fall that has taken place, at the time you entered into the contract?—Oh, no.

916. You did not at the time?—Never, for one moment; and all these different large departments of State were first constituted then, and no doubt the idea of the framers, or of the Government of the time was, that the pension should have the minimum value of 500 *l.* The Government took from 1859 to 1862 to compile what are known as the 62 rules, the first rules issued by the Imperial Government.

Chairman.

917. At that time the pension could only be drawn in India, was it not so?—Yes, certainly.

918. There was no power to pay pension at all in London at the time you entered?—Certainly.

Mr. *King.*

919. You must have been one of those of whom we have heard as being extremely discontented when they got into the service, during the first nine years you were in the service?—Well, this agitation has been going on since.

920. I want to lead you up to 1869?—Yes, quite so. I was going to say this agitation has been going on for 25 years. We have always been discontented.

921. You were one of those whom Mr. Read told us were very discontented?—Certainly. I was going to leave the service.

922. What was it that prevented you leaving the service in 1869; you had an offer did not you in 1869 of a very lucrative character to leave the service of the Government, why did not you accept it?—Simply because of the Duke of Argyll's Despatch.

923. The Despatch we have heard of so much, of 1869?—1884. From that date it seemed to lay down a settled policy as regards ourselves, and of course we have always built our hopes upon it. Our memorials ever since that date have referred to that Despatch; it has become our sheet anchor really in everything.

924. I suppose you are competent to speak generally as to the Public Works Department, and can tell the Committee whether there is any department connected with the Government of India, in which there is more possibility of waste or corruption than the Public Works Department?—Oh, dear no. We have an enormous expenditure, and everything depends upon our staff being efficient and contented.

925. A little more or a little less zeal would make all the difference?—Quite so. We are practically contractors to the Government. We form an estimate for works, and we have really to carry it out, we have no *bonâ fide* contractors, and the Government depends upon us to carry out the works.

15 *July* 1890.

Mr. PAUL DANGERFIELD, called in; and Examined.

Chairman.

926. WHEN did you enter the service of the Government of India?—In November 1872.

927. How did you enter, was it in competition or by nomination?—Under nomination.

928. What had you been previously?—Before I entered the Government service, I was a covenanted servant of the Great India Peninsula Railway. I was then a resident engineer on their permanent establishment; I resigned that appointment to enter the Government service.

929. Under what contract did you enter the public service?—I can hardly use the word "contract." I had no written agreement with them in any way. I had simply the letter from the Under Secretary to the Government of India, offering me the appointment if I chose to accept it.

930. If you chose to accept it?—Yes, and I understood that I accepted the appointment, subject to the rules then in force in the Department, and to the declarations that the Government had made that those rules would be materially improved.

931. You understood that you entered under the rules which were then in force?—Yes; and also in connection with that, the promise of Government that they proposed to materially improve the position of their civil engineers.

932. That was prior to 1884; they have, as we have heard, been improved in 1884?—There has been improvement in the main, but not such, I think, as would come up to the expressions that were used in regard to the Government's intentions then.

933. Have you heard the evidence which has been given here to-day?—Yes.

934. Have you got anything to add to the statements which have already been made, first, on the subject of the sterling pension?—My case is so entirely different from the other classes in the Department that to enter fully into it I should have to go into very much fuller detail; but on the same lines that the other witnesses have been examined I would have nothing to add then to what has been said about the sterling pensions.

935. Are there many other officers in the Public Works Department in a similar position to yourself?—Not many, I think, except in one particular. I am in the peculiar position of having been given the better pension rules, and still having been left under the unfavourable leave rules. There are a few of us in that position; not many, I think.

936. You say that your own case is special. How does you position in reference to the payment of your pension at the official rate of exchange differ from that of other officers of the Department?—No, not as regards pension. I have nothing specially peculiar as regards that.

937. Have you anything special as regards your leave rules?—Only this, that I am still under the unfavourable leave rules, and I look on that as a great grievance; and there is the peculiarity in connection with it, that I and a few others have been given the better pension rules, but we are still under the unfavourable leave rules.

Chairman—continued.

938. Were you entitled to any furlough when you entered the service in 1872?—I am under the same pension rules, but I am still under the so-called unfavourable leave rules.

939. Were you entitled, when you entered the service in 1872, to any furlough?—Do you mean in my previous service with the Great Indian Peninsula?

940. No; according to the rules on which you entered, were you entitled to furlough at all?—Oh, yes.

941. Were you entitled to count any of your furlough towards pension?—No.

942. You are at present, I suppose, on furlough?—I am on furlough at present.

943. Are you on furlough in consequence of your health?—Yes, entirely so, or nearly entirely so.

944. Then the whole of the time which is spent upon furlough is lost for the purpose of earning a pension, is it?—No; the two things in my case get curiously intermixed in this way; that I have been given the better pension rules, with, as Government declared, all the benefits that belonged to them; and amongst those benefits is this, that I can count two years' furlough in 20 years' service, three in 25, four in 28, and five in 30; but under my leave rules (the unfavourable leave rules), I can only claim two years' furlough in the whole of my service.

945. You may have two years' leave?—I may have two years' leave.

946. Those two years' leave may count under the rules for pension?—Quite so; but the unfavourable leave rules do not allow me to take more than two years' ordinary furlough in the whole of my service.

947. Your furlough counts as pensionable service; but under your leave rules you cannot have more than two years' furlough altogether?—That is ordinary furlough. In addition to that, one possibly might have furlough on a medical certificate, but that is not furlough you can claim in any way.

948. Would that count towards pension?—That has not been settled. I presume it would, and I hope it would. I think it is very possibly doubtful whether it would or not.

Sir *William Plowden.*

949. Nobody understands the civil leave rules, except those who have to administer them, I suppose?—There are very few people who do entirely understand them, even in the accounts' branch.

Mr. *Howorth.*

950. What grade did you join; of course you came in as an outsider, employed already on an Indian railway?—I joined as first grade assistant engineer.

Mr. *Howorth*—continued.

951. Is it possible for one to get at a comparison between your position on the Great Indian Peninsula Railway, and your position now. Had you special leave on that railway. Was there a pension in the first place?—No, but there was a very valuable provident fund which is in many respects far superior to a pension, because the pension dies with one, and one's family get no benefit from it; whereas the provident fund, as appertaining to the guaranteed lines, is very valuable indeed.

952. That fund is largely composed of your own contributions, is it not?—Only about half. On the State railways the bonus averages about cent. per cent The bonus given on the guaranteed lines, I believe, is still greater, and it is absolutely the property and part of your estate; that is to say, if you die your family get it; but the pension, as I know only too well, absolutely dies with you; or if you die before the time at which the pension becomes due, your family cannot claim it; they are entitled to nothing whatever.

953. But about leave, what do you say?—My leave was very much better on the Great Indian Peninsula Railway than it is under the unfavourable leave rules under which I am at present placed. The leave rules of the guaranteed lines apply not only to officers, but to European subordinates also. As to Europeans, they give a very liberal interpretation as to what "European" means.

954 Could you give a concrete explanation of what you are saying now, shortly?—Yes; I can show that on the Great Indian Peninsula Railway, for instance, and the railway that I am now connected with, the Indian Midland (lent to them by the Government), the rule is one year after seven years' service, or one year in seven, that would give about three years in 20. Whereas with the rules I am under now I cannot get more than two years in 30 years. The rules I am under are also most irritating in their restrictions. Not only is there the small amount of leave in all (two years in 30), but you get a year after 10, or anything less than that you like, and subsequent to that you can take no more furlough for eight years. It does not matter how pressingly you may require to be at home, you cannot get home on furlough, although you have furlough due to you in less time than that. Take another point as illustrating that still further. If you take no ordinary furlough at all, up to 18 years' service, you can then take two years at one time, but if you take it in 17 years 11 months 29 days, you can only get the year. The furlough I am on now, is almost a case in point. After 17½ years I can only get the year. If I had waited for the complete 18 years, I could have taken two years. These restrictions are almost as bad as the small quantity of leave admissable under the rules themselves.

955. Then, as I understand, if you had remained in the employ of the Indian Railway, you would have been in a better position with regard to pension and leave than you are now?—I cannot say as to pension, because pension is entirely a matter of the future. It depends upon whether I live to get a pension, but if I had remained with the Great Indian Peninsula Railway, I should have had a heavy sum in my provident fund, of which at least half would have been contributed by the company, and not deducted from my pay.

Mr. *Howorth*—continued.

Mr. *Bristow.*

956. On that point I suppose you really left in order to please yourself. It was a voluntary act on your part, was it not?—It was a voluntary act. I left on the advice of friends in the Public Works Department, many of them highly placed officers, who then expected that a career in the Government service would be a much more profitable one for me than I should have attained to if I remained in the Great Indian Peninsula Service.

Sir *William Plowden.*

957. You were speaking about your leave rules just now; is it a fact that you have served 17 years, and would have been entitled to two years' furlough if you had waited a little longer, and that you only get one year now?—Yes, I can only get one year now. I am talking of ordinary furlough, and at the time leaving out of sight any question of furlough on medical certificate.

958. And the remainder of your service, the seven years, or I will not say seven years, but if you had served eight years more you would have been entitled to another year?—I should have been entitled to another year, or any less quantity.

959. Shall you not be entitled to another year?—Yes, but when I come to the conclusion of my present furlough I cannot take any further furlough for another eight years. Although I have been 18 years under Government, and about 21 or 22 years in India, after the conclusion of my present furlough I must put in eight more years in India before I can get any more ordinary furlough.

960. Is not there a rule of something of that kind in almost all the services?—Oh, no, quite the reverse. In fact, I think you will find on the guaranteed lines they allow you every seventh year or every eighth year, I forget which, and there are no such restrictions about long intervals between leave as in the Government service under the unfavourable leave rules. In the Government service you get your first leave after 10 years. The guaranteed lines give the first furlough after seven years. After that there is a regular debtor and creditor account kept of what you have and what is due. You have so much furlough to your credit and you can take so much at intervals of three years. Three years is the minimum you have to serve before you can take another piece of furlough. On the guaranteed lines there are more favourable leave rules than the Government service unfavourable leave rules. Under my leave rules I have to serve eight years between furloughs.

Mr. *King.*

961. When you joined in 1872 you had no warning or intimation that you would not get any improvement of the rules?—No, that is what I feel particularly hard. Men in my own class, who joined a few months

Mr. *King*—continued.

months before me, have been given the benefit of the more favorable leave rules, while this benefit has been denied to me and others like me without any apparent reason.

962. Has any reason been given why you were exempted from them?—No, none whatever. It is apparently an accident. I went on for three-and-a-half years until April 1876, anticipating that these better leave rules would be given to all of us. In April 1876, the orders of the Government were issued on which the concession was given to officers who joined previous to the 3rd January 1872, I think that is the exact date. I joined in November 1872, consequently, I was not given the better rules; but officers of exactly the same standing as myself, who had entered the service under exactly the same conditions, a few months previously obtained the benefit of the better rules.

Chairman.

963. Can you tell the Committee in two words why you have not got the more favourable leave rules?—I cannot beyond that. I have petitioned about it, and received replies that the Government were unable to concede them, and so on. I know the Government of India have strongly recommended that officers of my class should get the benefit of them.

Mr. JOHN ELSTON, called in; and Examined.

Chairman.

964. WHEN did you enter the service of the Government?—In October 1871.

965. How did you enter?—Through Roorki College.

966. By competitive examination?—Yes; by competitive examination.

967. When you entered the service did you enter the service subject to the leave and pension rules then in existence?—Yes; I joined under the rules and regulations in the Public Works Code.

968. Have you anything to add to the evidence which has been given, first of all, relating to the depreciation of the rupee?—No, I do not think so. I think all I could say has been said before.

969. Now about your leave rules and pension rules, what have you to say?—We have been excluded. Men that joined in 1871 were excluded from the new leave rules that were granted in 1873, and also from the improved pension rules that were granted in 1884 to the Department as a whole, at least we understood so.

970. Do you not then share in the improved rules of 1884 at all?—No.

971. Not at all?—No, not at all; not in any way.

972. Why are you excluded?—I have not the faintest idea.

973. Have you had any reason given you?—None whatever. I have memorialised the Government twice, and have received no reply.

974. Have you any idea why you are excluded from the more favourable leave rules?—None whatever.

975. Have you memorialised the Government about that?—Yes. On one occasion I memorialised the Government about the new leave rules, when I found I was excluded; and a second time about the new pension rules, when I found I was excluded from them.

976. Have you had any reason given in either case?—None whatever. The Government of India said they were acting under the orders of the Secretary of State, and that they were unable to comply with my request.

977. Are you on leave now?—Yes.

Mr. *Bristowe.*

978. Are you paid at the rate of 1 *l.* for 10 rupees?—No.

979. You are not under that?—No. That is a question I should like to refer to.

Chairman.

980. If you have anything to say that is new upon that, or which has not been stated before, please state it?—The 2 *s.* to the rupee was granted on the interpretation of the code as it existed in 1871, and as I joined in 1871 I think I am fairly entitled to the same interpretation of the code.

981. What makes you say that the 10 rupees to the pound sterling was granted on the interpretation of the code; is that what you have heard, or how do you know it?—Because the extracts in the prospectus of the Cooper's Hill College are simply extracts from the code. I may be mistaken, but that is my idea. I think if you refer to the code that was in force in 1871, you will find the extracts in the prospectus are word for word the same as in the code.

Mr. *Howorth.*

982. What number of men are there in the same position as yourself?—I should say roughly between 20 and 30 of the men that joined before 1871.

983. Were you domiciled in India?—No.

984. You were an Englishman and went out?—Yes, and I intend to come back too.

985. Were the conditions of entry more difficult at Cooper's Hill than at Roorki at that time, so far as you know?—I should be very sorry to give an opinion about that. I should say no, myself. We passed a competitive examination both for entrance and for coming out of the college. We were made to go for a year's practical training on the works, and before we were promoted to third grade assistants we were made to pass an examination similar to everybody else in the Department; and in every way the same test has been required from us as has been required from those who have received the better leave and pension rules.

986. I suppose a large number of your men were domiciled in India?—I cannot say. The greater

Mr. *Howorth*—continued.

greater part of the men at Roorki in my year were certainly not domiciled in India. About the others, I know nothing.

987. You are aware of course, that a great distinction is made in the old rules between men domiciled in India, and men who went out from the English colleges?—No; before 1871. I do not think there was any distinction made; there was one set of rules and regulations in the department as a whole; and my grievance is that those rules were improved and I was excluded from them, although as I said, I joined under exactly the same conditions of leave and pension as everybody else. They were suddenly altered, and of course those who got the benefit of the new rules were placed in a better position than I was, and I was, as it were, relegated to a sort of inferior service for no reason whatever that I know of.

Viscount *Baring*.

988. Do you count furlough as service for pension now?—No.

989. You will not benefit except as regards pay by the alteration of 1884; your condition was improved as regards pay, was it not?—I do not see how.

990. Not by the alteration made in 1884?—No; the alterations made in 1884 were improved pension rules; as far as I understand we have been absolutely excluded from them.

991. Have you benefited in no way whatever?—In no way whatever.

Sir *William Plowden*.

992. You say you were relegated to a sort of inferior service; that I suppose applies only to this pension and furlough?—To pension and furlough.

993. In all other respects you are on the same terms as those enjoying better pension and better furlough rules?—Yes.

994. Is it a fact that some of those gentlemen may come under you as subordinates?—Certainly; they have been. My own asssistant was given the better pension rules, and of course he was in a sort of superior service at once.

995. Are any of the men appointed from Roorki now, or who have been appointed from Roorki since 1871 getting the benefit of those better rules?—I do not know. I believe some have been appointed as superintending engineers, and it is said in the improved pension rules that anybody who rises to the post of superintending engineer may, as a favour, be allowed the benefit of the improved pension rules.

996. That must be a man appointed from Roorki, long before 1871?—Long before. No man of 1871 has the slightest chance of getting it now.

997. I am speaking of men appointed after you from Roorki, are any of those getting the benefits?—Yes, one man.

998. Do you know what his case is?—Before he went out to India, and went through the college at Roorki, he was then in an office at home, and had had a certain training here, and that was considered a sufficient reason to give him the benefit of the improved pension rules.

Sir *William Plowden*—continued.

999. You do not understand why it is that you are not given the improved pension rules?—I do not. I have asked for reasons so as to know what to say in reply, but absolutely no answer has been given beyond stating that my request could not be complied with.

1000. Have you brought your case to the notice of the Secretary of State recently?—Yes; I had a reply last year. When the final orders came out about the improved pension rules, I memorialised the Governor General, and the reply I received to that memorial was, that the application of the improved pension rules was strictly in accordance with orders received from the Secretary of State. Then I asked that my petition might be sent on to the Secretary of State, and it was sent on, and some time last year I received a reply from the Secretary of State in which he said that he was unable to comply with my request.

Mr. *King*.

1001. Previous to 1873 there was absolutely no difference in the pension and leave rules between those who were Stanley engineers, those who came through Cooper's Hill, or those who came through Roorki, was there?—Absolutely none.

1002. And many of those who entered at Roorki would have done so through Cooper's Hill if they had known that subsequently a distinction was to be made between the two, would they not?—Certainly; I know of two or three cases, my own too. We certainly would not have gone through Roorki if we had thought there was to be any difference made by rules with a retrospective effect.

1003. There is no practical difference between a training at Roorki and Cooper's Hill, is there?—If you ask my opinion, I say no.

1004. I am asking your opinion—I say no.

1005. And there is no difference made in the appointments of the Roorki men and the Cooper's Hill men?—They are appointed at once as second grade assistants.

1006. I do not mean in that, I mean in selecting for promotion?—No, we are all on the same list.

1007. It was only in 1873 that you became aware suddenly that you were to be treated as of a different class?—Yes, in the matter of leave only, on that occasion.

1008. You have never had any explanation of that?—Never; and it was never intimated in any way. I should like also to point out that the circular issued to everybody in the Department in 1869, made no reservation with regard to any class whatever. It simply said it was under consideration to improve the prospects of the whole Department; and as they issued this circular to everybody in the Department, one would naturally suppose that it meant the Department as a whole.

1009. You never received that circular, did you?—No; but of course I should know of it. I should know that there was such a circular in existence, and that it was under contemplation to improve the leave and pension rules.

15 *July* 1890.

Mr. THOMAS ELLIS OWEN, called in; and Examined.

Chairman.

1010. WHEN did you enter the service of the Government of India?—I entered the service in 1861.

1011. After competitive examination?—After a competitive examination.

1012. Are you a Stanley engineer?—Yes.

1013. What have you to add to what has already been said to-day?—Well, I have simply got to state that I was attracted by the advertisement offering appointments to civil engineers, and having applied for regulations which would govern engineers when I joined that department, I considered them. I entered in 1861 for this examination, and passed the same in the first 11, out of about 30 or 40, signed a covenant, and proceeded to India. On my arrival in India I found the conditions of service not what (as appeared to me) they had been represented in the prospectus, in many ways.

1014. You are one of those described by Mr. Read as discontented engineers?—Most certainly.

1015. Up to 1869?—Yes.

1016. What prevented you leaving the service?—I stopped on for some time hoping for better regulation; and after reading that promise made in 1869, it certainly satisfied me and the Department for some years. We all thought that we should have rules such as we considered we were entitled to when we entered the Department.

1017. You have had improvements made in your positions, have you not?—Very slight indeed. What has been given with one hand has been taken away with the other.

1018. As to the fall of the rupee; have you any special ground of your own to urge?—I have only to say that the depreciation of the rupee by stopping retirement has very much retarded promotion; I might give my own personal experience to prove that as an instance of the Stanley engineers.

1019. I am afraid the question of promotion we cannot go into?—It is simply as affected by the depreciation of the rupee. It shows that when the rupee was at 2 *s.* the promotion was steady; as the depreciation came lower and lower, so worse and worse became promotion.

1020. In that respect of course it is relevant?—In the course of 29 years' service I received my first step in six months; my second step in three years and three months; my third step in two years; my fourth step in one year; my fifth step in four years; my sixth step in six years; and my last step in 12 years. I attribute this very much to the absolutely inadequate furlough pay, and pension that men have to look forward to at present which force them to remain in the service as long as ever they can.

1021. Have you anything to say upon the subject of furlough?—In addition to what has been said by other witnesses with regard to the improved rules of 1884 (which I do not think have been quite understood) these improved

Chairman—continued.

rules simply relate to pension and not to pay or furlough allowance in any way. They simply relate to pension, and I think these so-called improved rules have been very much exaggerated. The improvement in them has been very much exaggerated.

Mr. *Buchanan.*

1022. As I understand, you have got the benefit of those 1884 rules; you said just now that what had been given with one hand had been taken away with the other; what were you referring to then?—Under those rules we are allowed to take a pension sooner than under the old rules, but by getting our pension paid in this depreciated coinage we are not able to take our pension.

1023. That is not a change made by the rules?—So far, as by the rules, we receive our pension at the rate of exchange instead of in sterling.

1024. Yes; but you never received it in sterling?—We cannot receive our pensions until they are due.

1025. None of those in the same category as yourself ever did?—I am not aware of any Stanley engineer who as yet voluntary retired on pension. There may be such cases; but I am not aware of any.

Mr. *Bristowe.*

1026. You have nothing to allege against the Government generally, except this unfortunate fall in the price of silver, I imagine; you have no special grievance; all your grievances arise out of that whether it is furlough pay or pension, or even promotion to which you have alluded; I mean you do not consider that the Government have broken faith with you; that is the point?—I think they have broken faith as regards our emoluments, which include our pay, pension, and furlough allowance.

1027. You agreed to it on the basis of the rupee, and nobody foresaw the fall that would take place in the rupee?—In my prospectus the pension is stated in pounds; 400 *l.* or 4,000 rupees.

1028. There is nothing different in your case to that of the other gentlemen, is there?—The same as the covenants of the Stanley engineers up to 1864. After 1864 a new set of rules was introduced.

Mr. *Howorth.*

1029. You seem to argue that the different steps which you have gained in the service, being separated by long intervals of time as you progressed in the service, depended very much upon the stagnation caused by the fall in the rupee?—Very much so.

1030. Is it not the case that always in the higher grades the steps are very much more slow, and naturally more slow?—It has not been so in our Department.

Mr. *King.*

1031. Mr. Bristowe asked you whether you had any complaint to make as to the Government having broken faith with you; you would consider that they have not fulfilled the hopes held out to you by the circular of 1869, would you not?—Most certainly.

Mr. *King*—continued.

1032. That is as regards the inequality of emoluments with other members of your profession?—Certainly.

1033. That is one of the grievances you allege?—Yes.

Mr. FREDERICK ROBERT UPCOTT, called in; and Examined.

Chairman.

1034. WHEN did you enter the service of the Government of India?—In December 1868.

1035. How did you enter?—By competitive examination at the India Office as a Stanley engineer.

1036. Have you anything to add to the evidence which you have heard given by other Stanley engineers, who have been in the witness box?—I should wish to reiterate what Mr. Fenner said. I consider that my prospectus should be read with my covenant when I entered the Government service; and that in respect of furlough pay, the fact of the Stanley engineers having no covenant at all and my being safeguarded with a covenant, it appears to me very extraordinary that I should be the loser by it, merely in the matter of furlough pay. I should wish also to speak to the discontent which pervades the Department in India, owing to the great number of men holding the same divisisons,

Chairman—continued.

doing the same work, and having different rules of service and different pay and pension.

1037. Is it a fact that when you first entered the service these differences did not exist; were you all treated alike as regards leave and pension rules?—Yes; we were all treated alike.

1038. Then the difference have grown up in the course of your service?—Yes; of course directly the circular of 1869 was given to every engineer, we have always hoped and expected that we should be put on an equality.

1039. Are you inferior to other engineers in any other respect than in not getting your furlough paid at sterling rates?—I am not inferior to any other civil engineers; I am immensely inferior to the Royal Engineers, who do the same work and with whom we were promised equality.

Mr. *King.*

1040. You have the rules of 1884?—Yes; I am under the rules of 1884.

Mr. WILLIAM JOHN GREER, called in; and Examined.

Chairman.

1041. WHEN did you join the service of the Government of India?—In September 1872.

1042. How did you join?—First as a subordinate.

1043. In what way did you join?—From Roorki.

1044. Have you got anything to add to the evidence given by your colleagues who have appeared here to-day, particularly the gentleman from Roorki?—I do not think I have except that my case is rather worse than his, owing to sick-leave and furlough. I cannot get any more furlough and all that sort of thing.

1045. You have had a good deal of service which is not counted for pension at all?—Yes.

1046. Will you just tell the Committee what that is; how long were you at the College after appointment?—Two years, very nearly; 22 months. I served for 13 months before I rejoined.

1047. And then, how long sick-leave have you had?—Two years and three months.

1048. How long furlough have you had?—I am now on the only furlough I can get; that is one year.

1049. That makes how much service which will not count towards pension?—Six years and four months, out of what will be 18 years, and eight months when my furlough is up, on 18th April 1891.

Chairman—continued.

1050. Except that, have you anything to add that has not been already put before the Committee?—I do not know whether Mr. Elston stated that the Despatch of 1876 had a retrospective effect; if he did, I have no more to say; if he did not, I wish to state that.

1051. Is that stated in the case?—I think it is.

1052. Can you refer us to the statement; is it the Despatch of 1876 that you say has a retrospective effect?—It refers to the men of 1871. I mean the Marquess of Salisbury's Despatch.

1053. Look at page 153?—That is the one.

1054. Our attention has been called to that?—Then I have nothing further to add.

Mr. *Howorth.*

1055. What proportion of domiciled Englishmen were at the College of Roorki when you were there?—In my year, I suppose, out of four-and-twenty, there were about 10 pure Europeans like myself, non-domiciled; and the rest were domiciled.

1056. Of course, the domiciled Indians would not require this furlough?—Well, I do not know. I do not think they stand the climate as well as we do; they do not seem to have the same physique that we start with.

1057. You

Mr. *Buchanan.*

1057. You entered the service by competition?—Yes.

1058. Did you compete with Englishmen only, or with Englishmen and natives?—Englishmen and natives.

Mr. *Howorth.*

1059. Eurasians, I suppose?—And pure natives too.

Mr. *King.*

1060. Did you hear what the previous witness said as regards the fact that had he known a difference would be made between Roorki and Cooper's Hill men, he would have gone to Cooper's Hill?—So would I.

1061. Would you repeat that which he said?—Certainly.

Thursday, 17*th July* 1890.

MEMBERS PRESENT:

Mr. Barbour.
Viscount Baring.
Mr. Bristowe.
Mr. Buchanan.
Sir John Gorst.
Mr. Howorth.
Mr. King.
Sir Stafford Northcote.
Sir William Plowden.

THE RIGHT HONOURABLE SIR JOHN E. GORST, IN THE CHAIR.

Mr. STANLEY DE BRATH, called in; and Examined.

Chairman.

1062. WHEN did you enter the service of the Government of India?—I went out in 1877.

1063. My question was, when did you enter the service?—In that year. We were gazetted into the service on leaving Cooper's Hill.

1064. You gained your appointment by competition at Cooper's Hill?—By open competition.

1065. Do you claim a sterling pension?—Yes.

1066. Is your claim to a sterling pension based upon verbal representations made to you at the India Office?—No, I should prefer to say that my claim to a sterling pension was based upon what I understood to be the promises of the Government as throwing light upon my prospectus.

1067. On what evidence or grounds did you understand the Government to qualify what was stated in your prospectus?—I considered that the Government had explained what was in my prospectus.

1068. By speeches in Parliament, by advertisements in the newspapers, by representations at the India Office, or how?—By the declared intention in the Despatches of the Secretary of State. I consider that my prospectus, in naming 10 rupees to the pound sterling, and in giving sterling quotations, was at variance with the Despatches and other public documents, and unless the sterling valuation were held to be the correct one.

1069. Did you hear what Mr. Jenkins stated about that on the first day the Committee met?—Not with regard to the Despatches themselves.

1070. Have you read Mr. Jenkins' evidence?—Yes.

1071. Have you anything to add to Mr. Jenkins' argument from those Despatches?—No, not as regards the Despatches on pensions. I refer to the Despatches promising equality between Civil Engineers and Royal Engineers. These Despatches bear particularly upon the Public Works Department case, which was, I believe, not very fully stated by Mr. Jenkins.

1072. Are you one of the gentlemen who Mr. Read told us were discontented with

Chairman—continued.

their position when they got to India?—When I found that my emoluments were quite 70 *l.* a year less than I had understood, and that there was very little chance of rising in the Department, I naturally was not very contented.

1073. Were you induced to remain in the service by the Minute of Sir Andrew Clarke, and the Despatch of 1879?—Several of my friends and I met and conferred on the subject, and we decided to look for employment elsewhere if it could be obtained. Shortly after that the Civil Engineers' Association, which had been formed for the purpose of representing and getting into order the claims of the civil engineers, sent me a copy of Sir Andrew Clarke's Minute, and I inferred from that that Government was taking action on the whole of the questions that had been raised, and that therefore it would be foolish to throw up my appointment.

1074. I believe you also are dissatisfied with your promotion, though that is not within the terms of the reference?—It is directly retarded by the falling of the rupee.

1075. Have you anything to add to what has already been stated by so many witnesses, about the depreciation of the rupee checking the flow of promotion?—In principle, no; but I do not know whether the Committee understand how very severely that has operated. I should like to state how very severely that has operated in my own case.

1076. If you will state your own case briefly, as an illustration, the Committee will be glad to hear it?—My case is that of the men who went out with me; individually I have nothing to complain of. On the forecast of promotion which was sent out to the early candidates of Cooper's Hill, and which will be partly found also in the Stanley prospectus, a man might reasonably infer that he would attain to the top grade of executive engineers in 16 or 20 years. I have now been in the service 13 years, and instead of gaining a step every two and a half to three years, as my prospectus and appendix led me to anticipate, I have only had one

Chairman—continued.

one step of permanent promotion in the whole of this time. The result is that my salary, which was stated to me as beginning at 420 *l.* when I went out, is now at the current rate of exchange only about 450 *l.* after 13 years' service; and had I received the promotion which would naturally have resulted from the Government of India's forecast I should have been drawing nearly 1,000 *l.* Of course I need not say that my duties are just the same.

1077. Have you anything to say to the Committee upon the subject of the leave and pension rules which has not been stated already?—I would say again the same thing, that I do not think the Committee are fully aware (I have not heard it brought out in evidence) how hardly the leave rules bear, there being no fixed minimum, on the men who come home. In the last furlough I took, my leave allowances, after six years' service, were actually insufficient to pay my mere passage out and home. They amounted to 105 *l.*; 105 *l.* is not sufficient to cover the mere expense of the journey. Leave allowances depend upon promotion. They are calculated as fractions of pay, and, therefore, they depend directly upon promotion.

Mr. *Bristowe.*

1078. I understood you to say that when you got out you had 70 *l.* a year less pay than you expected; how do you make that out?—In converting it at the current rate of exchange. The salary in rupees was perfectly correct; but, inasmuch as every Indian resident, who is a native of England, has to purchase a great many things which are only ultimately paid for in gold, of course that affects the value of his salary out there. I received the salary which was duly quoted to me in rupees. I do not want to make any particular grievance of that, except this: that the upshot of the whole to me was that my emoluments were considerably less than I anticipated when I went into competition.

1079. I understand you to say that the prospectus led you to expect promotion in from two and a-half to three years; have you any references to that?—The only references I have to that are the tables of promotion which are given in the Stanley covenants, or the Stanley prospectuses, which were continued to us in an amplified form.

1080. Have you got a reference to that on the case?—They were sent in the form of a leaflet. It will be found at page 117, Appendix B. 3.

1081. I see underneath it says: "From various causes the promotion in the past has been somewhat more rapid than may be expected in the future;" there is a memorandum to that effect?—Precisely so; and I think it will be noticed, if you look through it, the length of service from grade to grade is two years and six months, one year, two years, then three years; again, five years and five months, and so on, so that, making allowance for promotion being somewhat less rapid, I have taken two and a-half to three years as being the time that might be expected. This table would average out to something like two years.

1082. This was the prospectus on which you entered Cooper's Hill, was it?—That was a small document appended to the prospectus.

1083. This is an exact copy of it, I suppose?—No, it is not. An exact copy has not been procurable. I have no doubt it will be procurable from the India Office, but this is as near as can be got except in that way.

1084. Have you any extra evidence to show that you were entitled to expect payment in sterling when you came home on leave and pension?—No, I cannot say that I have. Other witnesses have said all that I should have to say upon that point. I took the prospectus as it stood; it never occured to me, in fact, that it would be otherwise.

1085. Then your whole grievance is based upon the fall of the price of the rupee; that runs through everything, the pension, the pay, the furlough allowances, and promotion, all are based upon the unexpected fall in the rupee which neither you nor the Government anticipated?—Yes, certainly; that runs through everything that is within the scope of the present inquiry.

Mr. *Barbour.*

1086. I understand that your anticipations of promotion have not been realised?—That is so.

1087. Is there any change in the condition on which your branch of the service works that accounts for that, I mean any change on the part of the arrangements of the Government or of the service out there?—New regulations which affect promotion have frequently been brought in, but the object of all of them has been to encourage retirement and so to give promotion.

1088. Then, if I understand rightly, these are not adverse to your view of the case, they are rather in favour of what you would like to see brought about?—Yes; there have been no regulations introduced which have been in themselves adverse to the Civil Engineers, and on more than one occasion favourable regulations have been brought in, notably the Rules of 1884.

1089. Then, as a matter of fact, I suppose you regarded what was placed before you before you went out too favourably, expecting too much from it?—I should hardly be prepared to admit that I did expect too much, because the emoluments that were obtained or that were held out to us were only to be got after a very severe competition; and we were most distinctly told, both in Parliament and by officials at the India Office, that the service was in all respects on a level with the military service. I do not think I could be said to have interpreted the scale of emoluments too favourably.

1090. I cannot very well understand how they have not come out unless you, so to speak, misread your contract; you do not seem to find fault very much with the Government in the way of contract or in not applying properly the conditions made?—I think the Government might have relieved its servants of the consequences of the exchange when it was stated in the contracts to be 10 rupees to the £. sterling, by carrying out its promises of equal emoluments with the Royal Engineers serving in the Public Works Department.

1091. You are aware that that has not been made out to us, are you not?—I am.

1092. What

Viscount *Baring.*

1092. What is your position now?—Assistant engineer, first grade.

1093. How many years' service have you got?—I am in my 13th year of service. I have just closed the 12th year of service.

1094. You were led to believe by this leaflet that you would be assistant engineer of the first grade in the second or third year of service?—Certainly; and had that promotion been attained, most of us could have borne with the other grievances that we have had.

1095. If you had been in the position of executive engineer of the second grade you would have been drawing 1,000 rupees?—Of the first grade I should have been drawing 1,000 rupees.

1096. Whereas now you are drawing how much?—500 on full pay.

Mr. *King.*

1097. You had some doubts whether you should go into the Public Works Department from Woolwich or Cooper's Hill, had not you?—Yes, I went up specially to obtain advice on that point.

1098. Where?—To the India Office.

1099. And who advised you to select Cooper's Hill?—I believe it was Mr. Thornton, but I sent in my card and I was shown upstairs into one of the rooms, and this gentleman gave me a prospectus and advice, which I believe was perfectly sincere.

1100. What was the advice he gave you?—He said that if I wished to be a civil engineer and to work in either the Colonies or India he could conceive no better opening than Cooper's Hill for such a career; but that if I wanted to go into the Army as a soldier, of course, Woolwich was the thing. If I wished to go into the service of the Government of India as an engineer, Cooper's Hill was undoubtedly the right gate of entrance.

1101. You have had some military service, have not you, in spite of it all, practically?—Yes; I have been actually under fire.

1102. Military engineering work?—I was over the frontier in the Afghan War of 1879. That was really entirely military service.

1103. You had to go armed and with a military guard, had you not?—We had a military guard, and were ordered to go armed by the Government.

1104. You were subsequently engaged on the Bolan Expedition, and subject to a malarious climate?—Yes.

1105. Insurance companies took a very unfavourable view of the gentlemen who were sent on that duty, did they not?—They did. They asked 150 *l.* for 2,000 *l.* insurance for one year only.

1106. Mr. Barbour asked you a question as to whether you had taken too favourable a view of

Mr. *King*—continued.

the rules of the service when you entered. Have you stated all in regard to that that you wish to say; were there not Despatches of 1869 and Sir Andrew Clarke's Minute which influenced your mind too?—Not at the time when I entered the service. I must frankly say that the 1869 document itself was not known to me when I entered the service. But what I did read was the statement in Parliament that the two services, civil and military, were to be precisely on a level, and I regarded that as perfectly final.

1107. I mean it is not simply the question of the depreciation of the rupee, is it?—Not only that, but the equalisation promises.

1108. It is also a question of emoluments generally, is it not?—Emoluments generally as between Civil Engineers and Royal Engineers in the same service. At the same time, as I stated in reply to the gentleman on your left, had the depreciation of the rupee not occurred we could have put up with other grievances.

Chairman.

1109. Do you know that even now there are some infatuated young men who prefer Cooper's Hill to Woolwich?—I doubt if they are very fully aware of the prospects in India.

1110. You think they are unwise in their preference?—I do, most certainly.

1111. But you do not deny that the preference exists?—The number of appointments now annually given from Cooper's Hill is so very small that I can readily understand that there are plenty of men to fill them; at the same time I also believe (and I have been told) that some of the best men at the top of the College have preferred to take private employment to entering Government service.

1112. Then if a young man who had passed the Cooper's Hill examination and was entitled to an appointment in the Public Works Department were offered a commission in the Royal Engineers, you would think him very foolish for not accepting it?—Very.

1113. Do you know that a year ago there were a good many young men who committed that act of folly?—I know of three who committed that act of folly, certainly, who were offered appointments in the Royal Engineers.

1114. And would not take them?—And would not take them.

1115. Because they thought the Cooper's Hill career the most advantageous one?—They had gone through the Cooper's Hill course, I believe.

1116. They thought that career was more advantageous?—They thought that career was more advantageous, just as I did. All I can say is that I do not think they knew the conditions. They will probably discover their mistake, as I did.

17 *July* 1890.

Mr. R. R. MENNEER, called in; and Examined.

Chairman.

1117. DID you enter the service of the Government of India through Cooper's Hill?—Yes.

1118. By competitive examination?—Yes.

1119. In the year 1875?—In the year 1875.

1120. Have you anything to add to the evidence which has been given by the former witnesses whom we have heard?—Mine is a similar case to Mr. De Brath's. I may add that I was expecting to draw 420 *l.* at starting. I am barely drawing that now. I have about 12 years of service.

1121. When you say you expected to draw 420 *l.* at starting, do you mean that you expected your rupee salary would be convertible into that amount of sterling?—I was at a private school and the master evidently took it from the prospectuses of 1870 to 1874; and I think anyone not acquainted with Government official documents would certainly read 420 *l.* as the starting pay in the service.

1122. Were you aware when you joined that you were to be paid in rupees and not in sovereigns?—Yes; the note said: "10 rupees are equivalent, or nearly equivalent, to one pound sterling."

Mr. *Bristowe.*

1123. It said "nearly," did not it?—"Nearly."

Chairman.

1124. Your school had not studied the subject of bi-metallism, perhaps?—No, they had not in those days.

1125. What is your grade now?—First grade assistant engineer.

1126. Then you are in the same position as the last witness?—Yes.

1127. How long service have you had?—Nearly 12 years.

1128. Have you anything fresh to say about leave and pension rules beyond what has been already stated?—I speak on behalf of the 1875 men, and in the calendar published in Cooper's Hill, which is published under authority, and which I procured immediately after the examination was over, there is no mention whatever made of the current rates of exchange between the two Treasuries. Although it was introduced in the India Office it was not introduced in the Cooper's Hill Calendar until 1876, which was the year after I entered the college. The India Office Calendar I merely procured to know what subjects to take up for examination, and I felt bound by all the rules published in the Cooper's Hill Calendar, which was posted at the top, "Published under authority," and every student was directed to be provided with one of those. And upon that point I wish the 1875 men to be placed on exactly the same footing as those of 1874.

1129. The men of 1870 to 1874 are paid furlough pay now at sterling rates?—Yes; and I request that the 1875 men should be included in the alteration as to sterling rates.

Chairman—continued.

1130. You claim that the 1875 men should be paid in sterling and on the same ground?—Yes. I remember well the rate of promotion which was given in the leaflet which we have not procured, I believe, from the India Office, but I distinctly remember it.

1131. Have you asked for it from the India Office?—I believe it has been asked for by the association.

1132. What reply has been given?—I believe it is that they cannot find it.

1133. According to that leaflet your promotion has not been as rapid as you expected?—No; I have had one step from second grade to first grade assistant, which brings me up after 12 years to about what I expected at starting.

Mr. *Buchanan.*

1134. You are one of the 1875 Cooper's Hill men?—Yes.

1135. Then your peculiar position is this, is it not, that you took service under the prospectus of 1875, in which for the first time was introduced the proviso that in making payments at the Home Treasury, rupees are converted into sterling at the rate of exchange fixed for the time being for the adjustment of transactions between the British and Indian Exchequers?—That is in the prospectus, and not in the Calendar of 1875.

1136. It was put in the prospectus in that year for the first time?—Yes.

1137. Substantially your principal claim is that you should get the favourable furlough pay that has been granted to the 1870 to 1874 Cooper's Hill men?—Yes.

Mr. *Bristowe.*

1138. I understand you to say that you entered in 1875; does that mean that you went to Cooper's Hill, or that you commenced your 12 years' service in 1875?—Entered Cooper's Hill.

1139. Your service did not begin until 1878, I suppose?—1878.

1140. So that when you say you entered in 1875 you did not enter the real service until 1878?—In 1878 I entered the service.

1141. Which was three years after entering the college?—Three years after entering the college, and it is the general thing with about 12 or 13 years' service to go up one step of promotion. I have not been superseded except by Royal Engineers.

1142. What do you understand by that, then; that they are placed over you?—Some go away for about 14 years, then come back and join the Department. They will go into the Military Department and be promoted there, and then come back and join with the promotion they have obtained in their own Department.

1143. Then do you make out that the Royal Engineers are unfairly placed over the Civil Service?—I think so; it was only just a chance that I did not go into Woolwich myself. Had I known what I now know, I would most certainly.

1144. With

Sir *Stafford Northcote.*

1144. With reference to that Appendix B. 3, and the statement that "from various causes the promotion in the past has been somewhat more rapid than may be expected in the future," I should like to know whether you made any inquiry as to what those causes were, and whether they made any impression upon you?—No, I did not make any inquiry.

Viscount *Baring.*

1145. There are Royal Engineers, I suppose, occupying the same position that you occupy, assistant engineers?—Yes, there are.

Viscount *Baring*—continued.

1146. Are they much junior to you in the service?—Some are one or two years.

1147. One or two years' service?—And on furlough draw a minimum allowance more than double I am now drawing after nearly 12 years' service.

1148. What pay?—About 415 *l.* to 420 *l.*

1149. Pounds?—Pounds per annum in India, converted at the current rate of exchange.

1150. How many rupees?—500 rupees a month.

Mr. MORRIS LESLIE, called in; and Examined.

Chairman.

1151. DID you enter the service of the Government of India through Cooper's Hill?—I went to Cooper's Hill in 1872.

1152. When did you enter the service?—I went out to India in 1875.

1153. Does your case resemble that of the last witness?—It is almost exactly the same as Mr. Davidson's, who gave his evidence on Tuesday. I suppose it is a little different from the last witness.

1154. Will you tell the Committee what difference there is between your case and that which was heard on Tuesday?—I say it was exactly the same as Mr. Davidson's. My position was the same as Mr. Davidson's.

1155. Have you anything to say in addition to what he said?—I do not think he made it quite clear that it was owing to the prospectus of Cooper's Hill that a great many of us chose that service. On arrival in India some of us found for the first time that had we joined the Public Works Department through the corps of Royal Engineers we should have received the same appointment or higher appointment at better pay than we did on joining through Cooper's Hill, which was a shock to a good many of us.

1156. Did you hear that so lately as last year there were some gentlemen who had passed through Cooper's Hill who preferred the Cooper's Hill career to a commission in the Royal Engineers?—Yes, I did hear it. Several of us have heard it with the greatest surprise.

1157. It is a fact, is it not?—I believe it is a fact.

1158. That some of the successful candidates of Cooper's Hill were offered commissions in the Royal Engineers to go out to India in that capacity and declined?—So I heard.

1159. You think very foolishly?—Yes, we

Chairman—continued.

think they cannot possibly understand what the service out there really is. We think they are in exactly the same position as we were, that they are misled by the prospectus for Cooper's Hill. Of course every officer who goes out to India through Cooper's Hill is going on a prospectus of about seven years previously to the time he goes out. These men we think must have been misled.

Mr. *Bristowe.*

1160. I think you draw your furlough pay of 10 rupees to the pound, a pound for every 10 rupees?—I have received it within the last few months.

1161. With regard to pension that is still *in nubibus.* You do not exactly know how you are going to be treated in regard to pension?—No.

Mr. *King.*

1162. I should like to ask you a question in regard to these young gentlemen who declined to go into the Royal Engineers; had they joined the Royal Engineers they would have been liable to go anywhere, not simply to India, but they might have been sent all over the world if they had gone into the corps of Royal Engineers; is not that so?—Yes, I believe so.

1163. Therefore a person seeking an Indian career could not insure it if he went into the Royal Engineers?—No.

1164. It is a matter of chance whether he would have got appointed to the Public Works Department in India through the Royal Engineers?—Yes; and I believe they have difficulty in getting even Royal Engineers to take up the appointments from the Public Works Department.

17 *July* 1890.

Sir BRADFORD LESLIE, called in; and Examined.

Chairman.

1165. How did you enter the service of the Government of India?—I have not entered the service of the Government of India.

1166. You never entered the service?—No.

1167. Have you then always been in the service of railway companies and municipalities in India?—Yes.

1168. Never in the service of the Government?—Never.

1169. But I believe in the course of your large experience you have had to deal with the engineers of the Government of India, and you know their position and their prospects?—I do.

1170. And you wish to give your opinion to the Committee?—Yes; I say that from my experience of engineering work in India the pay quoted in the prospectus and advertisements at sterling are only sufficient for the work to be done.

1171. Then do you consider that generally the Department is underpaid?—Owing to the depreciation of the rupee, I consider that it is underpaid.

1172. Are you acquainted with the number of young men who go up to Cooper's Hill, and who compete for these appointments?—Yes.

1173. I mean are you aware that there is no difficulty whatever in getting first-rate youthful talent to embark in this profession?—That may be so; and I am sure they will find themselves very much mistaken when they come to go to work in India.

1174. Some of these young men who go to Cooper's Hill do so by the advice, I suppose, of parents and guardians of experience, and persons of more mature age, do they not?—I presume they do.

1175. Then, how do you account for the abundant material which offers itself at Cooper's Hill for selection?—Only by the general pressure there is for employment in all directions.

1176. Are you able to inform the Committee of the comparative positions of civil engineers on the railways that are under private companies and in the Indian Public Works Department?—Yes.

1177. What is your opinion as to that?—My opinion is that the pay and emoluments of a civil engineer in the service of the guaranteed railways are decidedly better than those in the Public Works Department of India, and the leave rules are more liberal.

1178. You consider that civil engineer officers require leave to come to England from time to time?—I think it is indispensable that they should come to England as frequently as possible. The engineers in the service of the guaranteed railways get one year's leave in seven years' service. I do not think that is a bit too soon. To enable them to take their furlough I think it is necessary that the furlough pay should be in sterling.

1179. Do the guaranteed railways pay furlough pay in sterling?—They do not; but then the pay is very much better.

1180. Were not some alterations made in the

Chairman—continued.

status of the engineers in the Government service some years ago in consequence of the depreciation of the rupee?—Yes, in 1884.

1181. Do the officers of the guaranteed railways obtain pensions in sterling when they retire?—No; but they get what is really very much better: they get an interest in the provident fund, which is established for their absolute benefit, and contributed to by the railway companies.

1182. But that interest is an interest represented in rupees, is it not?—An interest represented in rupees.

Mr. *Buchanan.*

1183. You say the railway engineers get one year's leave in seven years' service; do they get one year in every seven years subsequently?—Subsequently they get at the rate of one year in six years. The leave accumulates at the rate of two months per annum.

1184. How is the furlough pay paid to them during these periods?—It is paid to them in rupees.

1185. Paid to them in rupees at the current rate of exchange?—At the current rates of exchange.

1186. From a former witness we had evidence to the effect that in some of the railway companies it was paid to them at the fixed rate of 1 *s.* 10 *d.* to the rupee; do you know anything about that?—I do not know anything about that. It was not the case on the East Indian Railway.

1187. Nor on any railway that you are acquainted with?—No; but in consideration of the fall in the rupee the servants of the railway company are allowed to draw a portion of their pay at the rate of exchange of 1 *s.* 10 *d.*

Mr. *Barbour.*

1188. I think you have told us that railway engineers are better paid, and have better terms of furlough?—Yes.

1189. It has come before this Committee in evidence that sometimes the railway engineers leave the Railway for the Government service; can you explain to us how that comes about?—I suppose they may not be required. You see, when a railway is under construction a large number of engineers are sent out, but after the railway is finished they have to take their discharge.

1190. I quite understand that; but I do not think that covers the case I am thinking of; it was shown to us here that gentlemen left the railway as a matter of pure choice, if I am not mistaken, and went to the Government service; can you explain how that could come about?—No; I have never known such an instance.

Mr. *Howorth.*

1191. You are speaking about the number of Cooper's Hill candidates still being very large; are you able to say whether there are still as many candidates as there were two years ago?—I am not able to speak with certainty, but I am under the impression that the number is not so large.

1192. In

Mr. *Howorth*—continued.

1192. In regard to these employers of the Indian railways, is there any system of forced retirement at a definite age at all?—No.

1193. They can go on serving?—They can go on serving; as long as they are fit and able to perform their duties the companies are very glad to keep them.

1194. In regard to the provident fund, are the proceeds of this provident fund paid to the men who have retired in rupees or in sterling in England?—The amount is paid in rupees.

1195. And is calculated on the basis of rupees rather than sterling?—On the basis of rupees; they have to remit it to England at the current rate of exchange.

Sir *William Plowden.*

1196. You have spoken of the servants of the railway companies being entitled to two months' leave accumulation for each year's service, have you not?—Yes.

1197. Is it a fact that the railway servants have no privilege leave besides that?—Oh, yes, they have privilege leave. They are entitled to one month on full pay every year.

1198. In addition to the furlough?—In addition to the furlough.

1199. Then you mentioned that you were not aware of railway servants who had taken employment under the Government leaving the railway service to do so; do you know any case of a servant leaving the Government service and taking employment with a railway?—Yes, a great many cases.

1200. Will you instance one?—Yes; the case of Mr. Wynne. He left the Government service to take service under the Bengal and Nagpur Railway Company.

1201. Is that a State-guaranteed railway?—Yes, that is a State-guaranteed railway.

1202. Are not the terms almost equivalent?—It is not the same as a State railway.

1203. His service is guaranteed, is it not?—It is guaranteed.

1204. Then as to the one year's furlough in seven years' service, is not that better than the Covenanted Civil Service get?—I cannot tell you.

1205. Will you take it from me that the Covenanted Civil servant gets one year's furlough in eight years' residence, so that the railway servants are really better off than the Covenanted Civil Service in that respect?—In that respect.

1206. Probably there is some cause for taking them on a better footing; can you explain to the Committee what that cause is?—I am not able to explain to the Committee, except that the railway companies find it to their interest that their men should come home to England to polish up their knowledge of the profession, and to recruit their health. They find that it pays.

Sir *William Plowden*—continued.

Mr. *King.*

1207. Referring to the question asked you by Sir William Plowden, Mr. Le Mesurier also left, did he not, the service of the Government of India and went into the service of the Egyptian railways?—He left the service of the Great Indian Peninsular Railway Company.

1208. You must have had considerable experience of the working of a staff of engineers under you?—I have.

1209. What would you say as regards the effect of discontent or too low pay on the service of the engineers' department?—I say that it has a very detrimental effect upon the work done, that men are half-hearted and perfunctory in the performance of their duties.

1210. Are you a member of the Council of Civil Engineers; you are, I think?—Yes.

1211. They have a very strong opinion upon this question, have not they?—They have indeed.

1212. Have they memorialised the Government many times in regard to it?—They have.

Chairman.

1213. You have had a very wide experience; did you ever know a class of public servants who were without their grievance?—Well, I am afraid not.

Mr. *Barbour.*

1214. You have told us that engineers sometimes leave the Government service and go to railways?—Yes.

1215. Is that recently, or do you know of any recent case?—Yes, the case of Mr. Wynne is recent.

1216. How recent?—I think it occurred in 1885 or 1886. Then there is another case; Mr. Cregeen left the service of the Government to go to the Indian Midland Railway Company.

Sir *William Plowden.*

1217. After how many years' service?—I could not tell you how many years.

Mr. WILLIAM HALL, called in; and Examined.

Chairman.

1218. DID you enter the service of the Government of India in 1855?—Yes.

1219. Under covenant?—Yes.

1220. Did you after a long and distinguished service in India finally retire from the service in the year 1878?—Yes.

1221. I believe your grievance against the Government of India is entirely connected with the pension you received in 1878, is it not?—Yes.

Chairman—continued.

1222. You are a civil engineer, are you not?—Yes.

1223. What is your contention respecting that pension?—I was to be admitted to the benefits of the Uncovenated Service Pension Rules, which rules I never saw for some years after joining

Chairman—continued.

joining the service, and to receive a pension of one-third of my average salary after a service of 20 years and one half after 30 years, subject in both cases to medical certificate of unfitness for further service. It was agreed thereby that in all payments to be made under these presents the pound sterling should be considered equal to and calculated at the rate of ten rupees.

1224. You are reading from your covenant?—This is extracted from my covenant.

1225. What you read about the pension was extracted from the rules, was it not; and the stipulation about the rate of exchange is from your covenant, is it not?—They are both extracts from my covenant word for word. The covenants are here in the original *verbatim* (*handing in the same*). I therefore respectfully contend that this last clause fully covers the two previous clauses comprised in the covenants, and that I have been illegally mulcted in this exchange for the past 12 years, since my retirement from the service.

1226. Will you just read that first clause again?—My salary was to begin at 600 *l.* a year. I was to be admitted to the benefits of the Uncovenanted Service Pension Rules, which rules I never saw for four years after joining the service.

Mr. *Barbour.*

1227. Did you ever ask to see them before that?—Frequently; I was told they were out of print. They were never published in India for four years after the first Public Works Code was issued; then they were incorporated in it at the same time.

Chairman.

1228. Is this the covenant: "And it is hereby declared and agreed that the said William Hall shall be entitled to admission to the benefits of the Pension Rules of the Unconvenanted Service to the extent of one-third of his average salary after 20 years' service, and to one-half of the said average salary after a service of 30 years and upwards, subject in both cases to his being incapacitated by illness for further service;" is that the covenant you refer to?—Yes.

1229. "And it is agreed that in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of ten rupees"?—Therefore I contend that covers the two previous covenants.

1230. Are you aware that Sir Horace Davey advised that it did not?—Sir Horace Davey is better acquainted with the law than I am, but I read these documents as a young man when they were put into my hand in the first instance in the India Office, and I was not capable of comprehending legal technicalities if they exisited, nor do I believe it was the intention of the Court of Directors that any legal technicality should be permitted to be urged in the case; and, on the faith of those covenants, reading as any man would read plain language, I took them with the most implicit confidence and served under them for twenty-three years; and for the first time after nearly twenty-four years entering the service was I told by orders of the Secretary of State through the Accountant General's office that they were not to apply to my pension. (*Strangers were here ordered to withdraw; on re-admission Witness continued.*) I think I have already stated the point of contention with reference to the three points in my covenants. I therefore contend that this last clause in my covenants with reference to the pound sterling being equivalent to 10 rupees covers the two previous clauses for salary, of one-third of the average salary for pension after a service of 20 years, and of one-half after 30 years. On arrival in India I was graded as an executive engineer of the fourth grade, at 600 *l.* a year. One year and some months later the Mutiny broke out I was ordered to close the public works which I was conducting and to join a column of Madras troops.

1231. Without giving the Committee the details of your Indian services it may be taken generally that they were distinguished services?—Pardon my interruption, but this is one point that would bear materially on the result of my services.

1232. Then state your case fully in your own words?—I will be as brief as possible. I was ordered to join a column of Madras troops on field service in Bengal, as assistant field engineer (which duty constituted no part of the duty I had covenanted to perform for the Government of India), and on which I was employed for fourteen months, subject to very great slavery and hardship. My health broke down, and very nearly obliged me to leave the country, and this point is what ultimately obliged me to leave the service on medical certificate 10 years sooner than I otherwise should have. My health having broken down in consequence of being detached on duty which I had never covenanted to perform. In 1873 I returned to England on medical certificate, and was paid my absentee allowance at par, of 2 *s.* to the rupee. Again, in 1876, I returned to England on medical certificate, when my absentee allowance was also paid at par at 2 *s.* to the rupee by the Secretary of State; but at the expiration of this period I was required by the Secretary of State to appear before a medical board who declared me unfit for further service, and ordered me to send in an application to retire from the service. I did so. I sent it to the Government of India, in October 1877, and it was not until July 1878 that I received an intimation from the Secretary of State that I had been permitted to retire, with effect from the 1st October previously, or seven months later, on a quarterly pension of 949 rupees 14 annas, or, in round numbers, 380 *l.* a year, and that the Accountant General would be then ordered to adjust my pay and allowances accordingly. A few days subsequent to this I was informed by the Accountant General that my pay and allowances would be adjusted according to the current rate of exchange, which was the first intimation I received from the day I entered the service, that I would ever be subject to that deduction. I signed my covenants as a young man in the full confidence that they meant nothing more than ordinary language could render, or that could be understood by plain interpretation, and on the faith of which I never asked a question or entertained a doubt during my long service, but that I should unquestionably enjoy the full benefit of one-third my average salary on retirement to my English domicile. The question of

Chairman—continued.

of exchange I never heard of in connection with the public service until seven years later, when the Duke of Argyll's Despatch was published in 1862. That was the first intimation I ever heard of as to exchange in connection with the public service. Even then I had no suspicion that it applied to me, as I regarded my covenants as inviolable. In making some provision for a young family, I naturally based my arrangements of insurances on the pension which I had always considered my covenants entitled me to and assured to me. It cannot be supposed that had I the least suspicion when entering into my covenants that my pension would in advanced age by a legal quibble be reduced to the miserable pittance of 259 *l.* a year, I should never have entered that service; and it is reduced to that now. To keep up my insurance policies I have been gradually becoming yearly more involved in consequence of this deduction for exchange which now aggregates with interest to a sum of upwards of 1,300 *l.* I therefore confidently appeal to this honourable Committee of English gentlemen that they will recognise the unquestionable justice of my claim as now laid before them, and relieve me of this terrible injustice to which I have been so ruthlessly subjected for the past 12 years.

1233. Did you ever expostulate against the decision of the Secretary of State in 1878?—I did. I had a long correspondence with him extending over upwards of a year and a-half, and he cut me short by at last telling me if I would go back to India and draw my pension no question would arise about the exchange. That is the satisfaction that I had after 24 years' service.

1234. Since that final decision in 1879, have you ever revived the case again?—I once subsequently had a memorandum laid before the Secretary of State through Mr. Macartney, Member for South Antrim, and he just sent me a copy of the previous communication in reply.

1235. What date was that?—About two years ago. It is very probable that I have the communication here; I am not quite sure that I have. I have it at all events within reach. I do not find that I have it here amongst my papers.

1236. I understand that your claim is to have your pension paid at the rate of 2 *s.* to the rupee?—Yes; and arrears paid up at the same rate with interest.

1237. Since 1878?—Since I retired in 1878.

1238. I understand you to say that according to the covenants and according to the pension rules then in force you were entitled to that when you retired?—Certainly; they are quoted in my covenants, and if you will permit me I should like to make one further observation: A few moments since you said that Sir Horace Davey had given a certain opinion, but I have been since informed that Sir Horace Davey's opinion was based on rupees and not on sterling. It was based upon the covenants laid before him which were "rupees" and not "sterling" money as detailed in my covenants.

Mr. *Buchanan.*

1239. You appear here as one of the pensioners; one of those injured?—I appear here as a representative (as a type) of those who came out with me the same year under the same covenants.

Mr. *Buchanan*—continued.

1240. Under the 1831 rules?—Yes.

1241. Have you seen the case or have you got a copy of the case as drawn up by Mr. Jenkins; you have I think, have not you?—Yes, I have got it.

1242. Then you are one of those whose cases appear on pages 65 and 66?—I am.

1243. There is nothing otherwise special in your case?—Nothing.

Mr. *Barbour.*

1244. You tell us that Sir Horace Davey only gave an opinion on what was put before him?—I presume so.

1245. Can you tell us who it was that stated the case and put it before him?—I presume it was the association of the Indian service.

1246. I suppose they took special pains to get up the case and put it before him in such a way as to make it tell with the views of the association?—It unfortunately so happens that his opinion, as far as I have been able to collect it, is adverse to the association's claim. I am under that impression.

1247. That is Sir Horace Davey's opinion?—Yes.

1248. That is not the point of my question; the point is this: that the gentlemen managing the association took special pains to get up the case in such a way as to put it before Sir Horace Davey so as to state their case in the most favourable way possible?—The case which they laid before Sir Horace Davey was not typical of my case. It was more typical of the Cooper's Hill men who went out to India several years subsequent to me. It was not typical of those who went out in 1855.

Sir *Stafford Northcote.*

1249. You describe your case as typical of that of a large number of others?—Yes.

1250. Have you had any communication with other gentlemen whose cases resemble yours? Have they authorised you to speak in any way for them?—Not directly authorised me; but it is understood that my case should be representative of theirs; and I have no doubt that others will come before you of the same class to represent other points of grievance on their own behalf.

1251. I merely wished to know whether you had authorisation to speak for any other body?—I have been verbally authorised by several; but I know that several other members who went out under the same covenants will ask to appear before you to represent their own views more particularly.

1252. So far as you are aware, other cases do not substantially differ from your own?—So far as I have been able to collect, I do not believe they do; not materially.

Mr. *Howorth.*

1253. How many men went out under the same covenants, so far as you know?—I think I heard that 24 went out in 1855.

1254. Are

Mr. *Howorth*—continued.

1254. Are any still in the service, or are they all retired?—They are all dead or retired now.

1255. So that you represent in fact a class which are entirely gone out of the service?—Out of the service. I do not know one in the service now.

1256. You joined, I believe, at the very beginning, when Europeans began to join the service?—Yes, when Lord Dalhousie sent home a requisition to have a certain number of engineers sent out. I was one of those sent out at that time in response to that requisition.

1257. When you tell us that there were no rules forthcoming until four years after you joined, I presume there had been no rules at all?—There were no rules produced to me at the India Office. I never saw them even after I went to India. I recollect distinctly having asked to see a copy of them, and I was told they were out of print.

1258. How many men do you suppose are still living who have a similar grievance to yours?—I know there are two in London at present; whether they are in this room at present or not I do not know, but I have seen two within the last few days.

1259. And so far as you know were the terms of the agreement you read out precisely the same in their case as in yours?—I think so. I have no reason to doubt it, but I believe they have got other points of complaint which have transpired through their service, to bring before the Committee, if permitted.

Sir *William Plowden.*

1260. You had no knowledge of what was pending with regard to these leave rules; yet still I understand that the leave rules as framed from time to time were published in the Government Gazettes?—I fancy they were; I have no reason to doubt that they were.

1261. Of course you would receive a copy of the "Government Gazette" at your office and you would see what the rules were?—Yes.

1262. There is one other point; with regard to your services in the Mutiny. Did not you receive any extra pay for that service?—Only 112 rupees a month, assistant field engineer's pay; the allowance for extra horse and tentage; no other consideration from the Government whatever.

1263. There was extra allowance granted for field service, was there not?—112 rupees a month, nothing more.

Mr. OLIVER STACK, called in; and Examined.

Chairman.

1264. ARE you Deputy Inspector General of the Bengal Police?—I am.

1265. Did you join the service of the Government of India in 1859?—Yes.

1266. How did you join; by examination or by nomination?—By nomination.

1267. Who nominated you?—Lord Canning; or, rather, I was nominated through the influence of Lord Canning.

1268. Who gave the actual nomination?—Sir John Peter Grant.

1269. What was he?—Lieutenant Governor of Bengal. It was through the influence of Lord Canning that I was nominated by him.

1270. You were nominated by the Lieutenant Governor of Bengal. I believe you want to call the attention of the Committee to the Report of the Public Service Commission as to the Police?—I would like to say that I come not only to represent my own individual grievance (which is simply one of pension), but I have also been deputed by the police officers of the Punjab, the North West, Bengal, the Central Provinces, and Madras, in fact, the whole of India, to represent their grievances, which, of course, include other grievances as regards leave and pension besides my own. My own is a very simple case; but if you will allow me, first I will go into the grievances of the other officers of the Department. What I would wish to represent to the Committee is that we are a European Service. This is a very important point, because Lord Salisbury and the Duke of Argyll ruled that officers who were appointed to appointments which could fitly be held by any natives should not get more privileges than natives. Our contention is, that we are holding offices that cannot fitly be held

Chairman—continued.

by natives, but which require Europeans, and European gentlemen, and that the policy of the Government shows this; and, therefore, I would simply quote very briefly from the Public Service Commission which sat two years ago to prove my statement. It says: "The police is a highly organised force, with a semi-military training under its own officers. The constitution of the force established in 1861 contemplated a European being placed at the head of the police in each district, with an assistant when necessary, and this practice has, with few exceptions, have been maintained to the present day." The total number of officers in the force is 370; of this number 17 are natives of India, and five are Eurasians; 348 are Europeans. There are fewer natives of the country in the police force than in any other public department. As regards the employment of natives of India in the police, the following remarks show the views of the Public Service Commission, "The question of the larger employment of natives in the higher grades of the Police Department is one on which the sub-committee sought and recorded very full information. The Commission approached this subject with the sense that the maintenance of law and order and of security for person and property is one of the most important duties of the British Government in India, and that with this primary duty no *à priori* considerations in favour of the admission of all classes to equal chances of employment in the public service should be allowed to interfere; while fully sensible of the advantage of securing for the Department the highest detective ability procurable, the Commission felt compelled not to lose sight of the other duty not less incumbent on

Chairman—continued.

on a good police officer, namely, the maintenance of the public peace among populations liable to be set at variance by dissensions arising out of race and religion." It then goes on to say that for many years to come the European officers in the force must predominate. It has been described as a force with a semi-military training. The Bengal police have taken part in 10 frontier expeditions since its organisation in 1862. It is drawn from the same classes as the covenanted and the military officers. There are military officers in the Bengal police. They have the same status and the same duties in every way as the uncovenanted officers. Sometimes military officers are under uncovenanted officers. The only difference is in pension and leave rules, and this is one of our grievances. Then, again, the Indian police officers have been used as a kind of reserve to be indented on, for instance, as they were in the Bengal and Madras famines; when the transport broke down, Indian police officers were used simply because they were preferred to natives. Indian police officers are drilled with regiments. You allowed, Sir, in former cases officers to refer to promotion and slow promotion. I do not know that it is perfectly relevant as regards pension and leave perhaps; but, of course, it is much more important in a lowly paid Department where the well-paid appointments are few; the leave and pension rules are much more important in a department like that of the police than it is in more highly-paid departments; as our pensions are fixed according to our salaries. In 1866 there were five appointments.

1271. I am not sure that the Committee would care to hear about the promotion?—In that case I will pass on, I will not mention it. I observed that you allowed it to be mentioned as regards some others.

1272. We had better come to the question of pension, perhaps?—That point, of course, is a most important point (I will not press it, however, upon the attention of the Committee); that is, that it is very necessary, indeed indispensable, that there should be European officers in the police, and that they should be men of good standing. The regular police of India number over 112,000 men, and I can say from my own experience that the efficiency of that force depends entirely on the European officers. Another point that I would wish to press upon the Committee is that we have more arduous duties to perform than almost any other uncovenanted service. We have to be out in all weathers; we cannot only go out in the cold weather, but we have to be out in all weathers, and that, I think, is a fair subject for consideration, when taking into consideration our pension and our leave rules. The point I want to make out in my remarks, therefore, is that we are a European service, that it is absolutely necessary that there should be Europeans in that service; that there is no prospect of the European element in the department decreasing, as there is in some other departments; and that our work is very arduous. Under these circumstances we contend that it is unfair to apply to the European officers of the force leave and pension rules, which, though liberal and suitable as regards Asiatics, are quite

Chairman—continued.

unsuitable for Europeans. I would here quote from the evidence given before the Public Service Commission by the Inspector General of the Madras Police, a military officer of high standing and long police experience: "Public Service Commission Report; Proceedings of Madras Sub-Committee; Police Department, page 147." "Another most important point in connection with the police is the revision of the leave and furlough rules. Police officers come under the Uncovenanted Civil Service rules for leave and pension, and as these rules are framed entirely to suit the circumstances of natives, they should not apply to the higher grades of superintendents and assistant superintendents of police in which there are no natives; they do not apply to some officers of the Public Works Department, yet police officers are recruited from the same or a better class, and have much more arduous duties and have to undergo exposure in all weathers and climates." That is a military man who gave that opinion. If a native falls ill he can find in his own country and within a two days' journey places where his health can be recovered, and strength restored. A European officer must come to Europe. A native officer can go to any part of Bengal and back for about 10 *l.* A European officer must at the very lowest calculation expend 120 *l.* to take him to Europe and back. A native officer being in his own country is not under the necessity of taking long leave. Like the English Civil servant he contents himself with a month every year or three months every three years. He is therefore during the whole of his service on full pay. A European officer requires long leave to Europe to recruit his strength to enable him to discharge his duties efficiently; during this leave he is on half pay. We contend that it is not fair to have the same condition of service for officials differing so completely in their requirements. The great majority of European police officers are under the Indian services leave rules. In the Bengal police out of 86 European officers only 12 have been admitted to the improved leave rules; in the North-West only four officers, and in Madras not one. Under the leave rules applicable to the great majority of police officers and to all native officials an officer can get one year's furlough after 10 years or two years after 18 years' service, or six months' leave after six years service, on half pay; three years are allowed on medical certificate, but only two years can be taken at one time. If I refer here to the more more favourable leave rules enjoyed by military men employed in the Police Department and doing exactly the same work as the uncovenanted officers it is on the assumption that Government considered that the leave allowed to military men was necessary to enable them to perform their duties with efficiency. If so we have some reason for asking that European officers drawn from the same classes of society and doing exactly the same work should have the same allowance of leave. A military police officer can get six years' furlough in his service; an uncovenanted police officer only two. After eight years' service a military police officer can get furlough for two years. An unconvenanted police officer can only get one

Chairman—continued.

one year after 10. After three years' return to duty, a military police officer can get two more years' furlough. An unconvenanted officer has to serve eight more years before he can get one year's furlough; all the furlough a military officer gets counts towards pension, not a day of furlough of uncovenanted police officers counts. As regards leave allowances, a military police officer can draw a maximum allowance of 1,000 *l.*; an unconvenanted officer though he may be higher in rank and drawing higher pay in India, can only draw 800 *l.* A military police officer, no matter how junior, cannot draw a smaller leave allowance than 250 *l.* per annum; for an uncovenanted officer, there is no minimum. An uncovenanted assistant superintendent of police of the lowest grade, if compelled by ill-health to go home on leave, as some have been, could only get 85 *l.* per year. Inadequate leave allowances have simply led to this result, that very few police officers can afford to take leave. Out of 86 European officers in Bengal, there are only four officers on furlough. Out of 86 officers there are only 15 drawing higher pay than 700 rupees per mensem. There are therefore 71 officers whose leave allowances are so inadequate that they cannot avail themselves of leave to Europe. The leave allowances of the most highly paid of those 71 officers, that is third grade, would only amount to 293 *l.* per annum; all these officers have over 23 years' service. Seven out of 11 officers are married men. The expense of a passage to and from England for a married man is moderately calculated at 300 *l.* Therefore, they simply cannot do it. There are 11 officers in the 4th grade drawing 600 rupees per mensem, not one of whom has less than 20 years' service, and many over 25 years. They are all married men with families. Their furlough allowance on half pay would amount to 255 *l.* per annum, and, of course, they would be subject to the same expense for passage money as I have before stated. The leave allowances of men who have been 15 years in the service would only amount to about 160 *l.* per year. Therefore, a very large number of officers have not been able to take furlough for the last 10 years. And this is a point I wish to bring forward, not only as a point of individual hardship, but as showing how it affects Government service. Ten years of unbroken service in India is enough to impair the strength and diminish the energy of any European, and I can speak from personal experience as an inspecting officer when I state that a very large proportion of our officers are suffering from want of rest and change, and that consequently their work is not as efficiently done as it would be if they had more liberal leave rules and allowances. Of course it is not possible to estimate the loss to Government arising from that. We cannot estimate in money value, the loss caused to the State by the diminution of zeal, and the discontent of a number of officers worn out by the climate; but my inspections have convinced me that the loss is a very real one, and to anyone who understands the working of the Department a very palpable one. I have had again and again to report verbally to the Inspector General, the head of our Department, that many of our officers are played out for want of change and rest, and that they have lost zeal and energy.

Chairman—continued.

Then another grievance of ours is that by their leave and pension rules, for native policemen, Government practically admits that the police service is more arduous than service in any other Department. There is this anomaly; a native policeman can count his service towards pension from the age of 18; the native employés in other departments cannot count their service before the age of 22, and a European police officer cannot count service till after 22. A native policeman counts two years furlough as service towards pension; his European officer cannot count a day; not a day counts as service on the part of the European police officer, so that it practically comes to this: that a native officer serving in his own country can retire on his half-pay pension much sooner than his European officer. As regards pensions the uncovenanted police officers are in the same position as the other non-domiciled European uncovenanted servants. They get half-pay after 30 years' service, with this important qualification, that it cannot exceed 5,000 rupees per annum. I will show how this operates in my own case. My pay is 18,000 rupees per annum; if I got half-pay I would get 9,000 rupees, which at the present rate of exchange would be about 636 *l.* per year; but in consequence of this maximum reserve I only get 5,000 rupees (or will in a few months), equal in sterling to about 360 *l.*; this is after 31 years' service in India. Out of 86 officers in the Bengal Police, only seven can get this maximum pension of 360 *l.* per annum, all the rest will get smaller sums. There is another evil resulting from inadequate pensions which I wish to point out, and which affects the Government service quite as much as it does individuals; that is this: the rule is that uncovenanted servants should retire when they attain the age of 55; and, as a rule, most certainly men are not capable of doing efficient work after 55. But the pensions are so small and the fact of their being fluctuating operates so as to make officers reluctant to retire. They send in an application for extention of service, and their superiors, knowing that their pensions are small, take a very lenient view of their qualifications and recommend the extension, and they get the extension. Lately, the Inspector General of the Bengal Police reported to the Government that, with one exception, not a single officer who had got an extension of service, after he had attained the age of 55, had done efficient service, not a single officer. It is equally bad for the Government and for the individual; for the Government which is paying full pay for service which is not efficient, and for the individual who is obliged to work on in an exhausting climate, when no longer fit for duty.

Mr. *Barbour.*

1273. Is not that a very sweeping charge to make against superior officers, for allowing that to go on?—It is; and that is what I wish to strongly bring out. Covenanted civilians and military officers, when brought into official contact with uncovenanted servants, feel a strong sympathy with them; and when there comes to be a case of Government interests clashing with individual interests, they are apt to take the side of the individual as against the Government. It is a very serious evil, and it results from inade-

Mr. *Barbour*—continued.

quate pensions, and from inadequate leave allowances. I will give a very strong instance. I will only quote one case, because I think it is a very strong instance. Ten months ago I went to inspect a district. The police officer was in extremely bad health, and had been in bad health for two years. I asked him why he had not taken leave. He said he could not afford it, the leave allowances were too small; he was a married man with a family, and it would be utterly impossible that he could carry on the education of his children if he took leave. I asked him why he had not retired on pension. Any medical man would have given him a certificate; he had put in 25 years' service. He said the pension was too small; it was fluctuating; and he could not afford to do it. A few months afterwards he attained the age of 55; he was compulsorily retired; he came home to England, and he just lived only a week after arriving at home. Now I do not want to point out the individual hardship in that case (though I have not the slightest doubt that if that man had had more liberal leave and pension rules he would be living to day), but that his district had got into extremely bad order, simply and solely because he was not up to the work; and it will take some time to get that district into good order. That is one of the evil results to the Government Service of the present rules. Of course we may say, theoretically, that officers should first choose Government interests, but we have to look at the system as it works practically, and not as it works in theory. I do not know whether it will be within the scope of the inquiry to mention that exchange hits the officers of a department like the police (which is not highly paid) in other ways quite irrespective of pension and leave rules. Everything we get from England, for instance, we have to pay a higher price for.

Chairman.

1274. That is hardly within the terms of our reference? — Then I think it is within the scope of the Committee's inquiry, and it will not be irrelevant, to mention and contrast the terms paid to the higher officers of the London police and the Indian police.

1275. I think that would hardly be relevant; the conditions of service are so very different? — Exactly so; but all I want to show is that our conditions are much more severe; yet we get much worse pension rules. Some of our officers have been appointed to the London and provincial police; and I have heard their opinion as to the arduousness of the duty of the higher officers of both departments. In fact, one of them has volunteered, if necessary, to come before the Committee.

1276. I think the contrast of the position of the Indian police and the London police is outside our inquiry?—I am not speaking of the ordinary Indian policeman and the London policeman; of course, it would be absurd to make any comparison in that way; but I am speaking of the Bill lately brought in.

1277. That, I fear, is irrelevant? — Then there is another point I would wish to add.

Chairman—continued.

Lord Dalhousie in a Despatch mentioned the great temptations which are thrown in the way of men of the Public Works Department, and all that he said applies with infinitely more force to the officers of the Police Department. There is no department in India in which there are such temptations as there are there. It is all the more necessary therefore that the officers of the department should be well paid, and should be men of a good stamp. As regards the present men of the force I can only say that they will compare favourably with any department as regards character for honesty and integrity; but I may say this too, as an officer of great experience, that the pecuniary strain is getting greater and greater every year. Men are getting more worn out for want of leave, and I honestly confess that if it goes on I look with apprehension to the future. I know the circumstances of most of the officers of the police; I know they are not able to take leave, that they cannot retire, and that therefore the pecuniary strain is very great. Another point is a particular grievance of our department; that is, that service in what is called the officiating appointments does not count for service. For example, a youngster when he is appointed to the police is appointed as an officiating assistant superintendent; he has to pass two departmental examinations before he can count his service towards his pension. In many cases officers have thus lost three and four years' service. For instance, many young officers after they were appointed were sent up to the frontier on frontier expeditions; of course study for examinations was out of the question, they would not be allowed to appear before the board. This presses very hardly on officers of the Police Department, and it is not the same in other departments. We would suggest that, as in other departments, service should count from the date of appointment. Another grievance, and that is a general grievance, is that service before the age of 22 does not count; many officers in this way loose four years' service. I will mention one case, that of Mr. Hoskins, in the North Western Provinces; he was a little under 18 when he joined; a few months afterwards the Afghan War broke out, he was sent on transport duty, and was all through the war, for two years; that service does not count for pension. He was then appointed officiating district superintendent, in succession, to two of the most important districts in the North West, so that before the age of 22 he was doing most important work. All that service does not count, and there are a great number of officers who are similarly situated. If you ask me what remedies I would suggest, I say: Pensions to be fixed in amount and paid in sterling. The pension rates prescribed in the rules of 1855 seem equitable.

1278. What were those rules?—That was 500 *l.* a year.

Mr. *Howorth.*

1279. Five hundred pounds maximum?—£. 500 maximum. Very few officers of police would get the maximum, because we have not many highly paid officers. The majority of our officers would get about 450 *l.* a year. Another remedy I would suggest is that service from the age of 18 should be

Mr. *Howorth*—continued.

be allowed to count towards pension as it is in the case of native policemen. The duties of an assistant superintendent are more arduous and involve more responsibility than the duties of either young civilians or young military officers. By law they are invested with very important functions from the moment of their appointment, and in fact they are doing just the same work from that time as they are afterwards. I think that all European officers of police from the rank of assistant superintendent, should be allowed the benefit of the more favourable leave rules, which are now only enjoyed by a few, and the leave allowances should be the same as for military men in civil employ. This was proposed 20 years ago by Lord Mayo's Government; some officers of police are, and some are not allowed those rules; it is a mere arbitrary distinction. It was simply based on the fact that on a certain date, if men were drawing certain pay, they were allowed those more favourable leave rules; and it leads to this anomaly, that a junior officer will now be able to come home on a higher pay than a senior officer, because the police is not a seniority service, and a junior officer who got promotion first to 800 rupees a month, or to 1,000 rupees a month, might be under the less favourable rules, while his senior who had been passed over because he was not as efficient, is under the more favourable. I think officers of the police certainly should be allowed to retire after 25 years' service. In all police forces that I have ever seen, 25 years' service is considered the time for retirement. If that is the case in Europe, it certainly should be the case, I think, in India.

Mr. *Barbour.*

1280. Is it the case in Europe?—It certainly is the case in the London and the provincial police; an officer can retire on half-pay after 25 years' service, or on two-thirds pay. The Police Bill, as brought in, provides for that, I believe.

Chairman.

1281. I think you are rather travelling in advance of facts at present. It is only a Bill at present, it is not law?—I thought, as regards the 25 years' rule, that was in force before. I mean to say, before this Bill was brought in, a policeman could retire after 25 years; and I thought the only contest was about the pension he was entitled to. I think 30 years is certainly too long to serve in India, and that 25 years' service would be ample. Those are the points and those are the grievances that I wish to place before the Committee.

Mr. *Barbour.*

1282. You made a very strong point about the more arduous duties of the police as compared with the other services. Would you explain that in detail?—I will. I had it written in some detail, but I curtailed it in order to save time: We have to go out on duty all the year round. Our duties take us out on inspections all the year round, in hot weather, and in the rains. Officers of other departments go out in what is called the camping season. We have to go out to investigate important cases, and to inquire into all charges brought against our subordinates.

Mr. *Barbour*—continued.

I may add that in my own experience I have had three serious illnesses from exposure while on duty; and there is no police officer I know of who has not been laid up from the same cause.

1283. That is, exposing himself to the sun, perhaps?—Exposure in the sun and in the rainy season.

1284. But could he not protect himself against the sun in travelling?—Protect himself; how?

1285. It can be done somehow, surely?—He can wear a pith helmet, of course; but you have to be out in the sun all day. I have ridden 200 miles in my district, in four days, in May. I had to do it. I was out all day. In the month of September, one of the most unhealthy months of the year, I had, when the cyclone occurred, a ride of 32 miles, to Diamond Harbour, and 32 miles back; that was 64 miles that day.

1286. Did you do that in the 24 hours?—I did that in the 24 hours. I had relays of horses. I started at six o'clock in the morning, and did not get back until past 11 at night.

1287. I was in India last winter, and it was explained to me that the business of an indigo planter was more healthy than tea planting; the explanation offered was that indigo planting was a more active life; if this is so in the police service, would the officers not have more exercise, and therefore be more healthy than officers in other departments?—An indigo planter leaves his house at six o'clock in the morning, and he comes back to his house again at 11 o'clock or 12 o'clock, before the sun gets hot, and all the rest of the day remains in his house. We have to go out, and have been frequently out the whole day; and that goes on for weeks together. I have had to start, for instance, before my servants in an urgent case, and had no food except what I could pick up in the bazaar. I have had to sleep in a native hut, and under a tree. That is different, you see, entirely from the life of an indigo planter. A certain amount of exercise is good if you can take it in a proper way.

Sir *Stafford Northcote.*

1288. I think you mentioned, as one of the great hardships of the police service, the impossibility of the police officers taking leave and coming to England, in consequence of the low rates of allowance?—Yes; in consequence of the low rates of allowance, and the expense, of course, connected with coming home too; that has to be added.

1289. Of course you are aware that the terms of this reference are that we are to consider the alleged grievances of the uncovenanted Civil Service arising from the change in the relative value of gold and silver money, and their leave and pension rules?—Yes.

1290. Can you suggest any means by which, without a direct increase of salary, the difficulty which you describe, as to the European officers returning on leave to England, could be met by us under the terms of this reference?—Yes; as in the case of other officers, there should be a minimum allowance of 250 *l.* a year. You have, in fact, to assimilate our rates of furlough pay to that of the military police officers.

Mr. *Howorth.*

1291. Are all your officers recruited in England, or are some of them recruited in India?—They are all appointed in India. Youngsters come out occasionally with promises of appointments from India; but the appointment takes place in India.

1292. How comes it that the police service should be an uncovenanted service at all, when it has been always limited to Europeans in this way?—I think the reason is that the governor generals and lieutenant governors wish to keep a certain amount of patronage in their hands.

1293. You have spoken about the terms of service being different in certain cases to what they are in others. So far as you know the covenants of service, how many different forms would there be in the police service?—In the police service we are all under the same. There are no different forms except what I have pointed out, that natives in the police have more favourable rules than their European officers.

1294. All the police officers then?—All the uncovenanted police officers are exactly on the same footing, and under the same agreement; there is no agreement, in fact.

1295. Is there no divergence at all as to leave and to pension; that is what I mean?—Of course, men who came in between 1855 and the 8th June 1863 we think have superior claims to those who came in later.

1296. On what account?—That touches, of course, the individual case which I wanted to mention. In 1859 I was appointed; the leave rules then in force were those of 1855; that is those framed by the Court of Directors, the pension rules; and the leave rules were those of 1856. Under the pension rules of 1855 my pension is stated (that is, if my service were an approved good service) to be 500 *l.*, stated in sterling; and there was no question whatever of its being paid at any rate of exchange. I naturally concluded that my pension would be 500 *l.* On the 8th June 1863 the Secretary of State brought out rules——

1297. What are called the improved rules?—He called them improved rules, or revised rules, and he made them applicable with retrospective effect, and that is what we complain of. I got no option. I do not remember ever being applied to, or anyone saying, "Will you elect to go under those rules, or will you abide by the rules of 1856?" In the rules of June 1863 for the first time it was stated that payments would be made at the rate of exchange. I may add that when I came in in 1859 the rate of exchange was 2 *s.* 1½ *d.*, and the rate of exchange when the rules came out was 2 *s.* In 1864 the Secretary of State in a Despatch again mentioned pensions in sterling, and said, "Ordinarily the pension of an uncovenanted officer will be 500 *l.*" In 1868 he again mentioned the pensions, and again mentioned them in sterling. In 1870 (that is 11 years after I entered) he again mentioned the pension rules, and when he mentioned the pensions he mentioned them in sterling.

Chairman.

1298. As an equivalent to rupees?—There was nothing said about being equivalent to rupees. He said 5,000 rupees or 500 *l.* Of course in that way it was mentioned, "or 500 *l.*" I ask now for my 500 *l.* pension. What I contend is this: I fulfilled the conditions; I never got any option; and now they say, Oh, no; the rate of exchange is now 1 *s.* 5 *d.*, and you will get your pension at that rate.

Mr. *Howorth.*

1299. Just let me ask you a question on another point. You drew a comparison between the pay of the uncovenanted police officers and the pay of the military police officers?—Not their pay. I drew the comparison as to leave and pension.

1300. I mean with regard to leave and pension?—Yes.

1301. Do those military police officers to whom you refer, form a separate service?—They are military men in civil employ, and their rules are to be found in our Civil Leave Code.

1302. You argue, do you not, that your rules should be assimilated to theirs?—Not quite. We do not want to be put on pension as high as they. I do not think it would be fair; we do not claim it. A military police officer after 30 years' service, gets 750 *l.* a year. I get after 30 years' service a pension of 360 *l.* That man was subordinate to me in the department.

1303. Without going into that, how would you discriminate between what you demand from what is at present received under the privilege of the covenanted police officers?—I do not think, considering the way in which we enter the uncovenanted service, that we are entitled to as high a pension as they are; we should get a pension of 500 *l.*

1304 In the service now have you any Eurasians and domiciled Indians at all?—There are 348 pure Europeans; we have 17 natives altogether; and we have in the whole of India about 12 domiciled Europeans or Eurasians.

1305. When you spoke just now about your young officers being detached for other service and receiving no advantage in the shape of furlough, do they receive no advantage at all in respect of that detached service?—They get what is called a deputation allowance to defray the expense which they are put to for carriage; for horses, for instance. Young officers sent on transport duty on detached service or on famine duty, must keep up more horses than he would on his ordinary duty.

1306. That would be simply pay on account of extra expense?—On account of extra expense. It is what is called "deputation allowance," which is given when on service when they are put to extra expense.

1307. He receives nothing in lieu of advantages on account of furlough?—No, nothing on account of furlough, and nothing in regard to pension. On the contrary, no matter how good his service may be, no matter how arduous his work, if it is before the age of 22, it does not count for service towards pension.

1308. What do you say would be the average of the amount of this officiating service that you refer to, that these youngsters would have to pass

Mr. *Howorth*—continued.

pass without the time being counted?—The combined effect of the officiating rule and of the rule that before the age of 22 the service should not count, has been very severe in many cases, and I should say the average would be three years. It does not affect me personally, but a large number of the officers in our department lose three years' service, on the average. Those three years must be added to their 30 years' residence which they have to serve in India.

1309. Have you a large number of applicants for vacancies at present, or not, under the present conditions?—On the conditions, yes; there is no difficulty. Lately there has been an entrance examination required in Bengal, and, therefore, the number of applicants is not so very large.

Sir *William Plowden.*

1310. You have spoken of the deputation allowance; how much is it per month?—I am not quite certain, but, I think, in the time of the famine, it was 200 rupees a month.

1311. Do you say that is only given to cover the extra expense a man is put to?—To a certain extent.

1312. How much is the cost of keeping a horse per month?—It also, of course, would be for the purchase of a horse; the Government does not provide us with horses.

1313. I do not ask you about the question of horses?—Twenty-five rupees a month.

1314. Then he could keep eight horses for his 200 rupees?—Yes.

1315. He would not want eight horses, would he?—No; but I need scarcely point out that when a man is moving about there are always more expenses than when he is settled in his own house.

1316. It is quite clear that it is not intended simply to cover the horse allowance; you know there is such a thing as horse allowance in the military departments, and it is about 33 rupees a month, is it not?—These officers have to purchase additional horses and do the work. I know several cases in which they did so in the Bengal and Madras famine. That is the first thing they have to do. You will not get a decent horse in India under 500 rupees.

1317. Is not the minimum military police officer's furlough pay given to him because he is a military man, with certain furlough rules?—I think not; he is a military police officer in civil employ, and the pay of a military police officer in civil employ is different from the pay of a military man not in civil employ; therefore, I believe, it is given because he is a military man in civil employ.

1318. Is it within your knowledge that a military man in civil employ gets the same furlough pay as a man of his own rank who is not in civil employ?—I do not know about that.

1319. If you do not know, it is no use asking you?—No; I cannot contrast the two.

1320. You said just now that the native police have more favourable rules than the European officers (which I was rather surprised to hear); they are under the same rules, are they not?—They are under the same rules to some extent; but, as I say, there have been clauses introduced

Sir *William Plowden*—continued.

giving them improved rules. A native policeman can count service from the age of 18.

1321. A native police officer?—Well, we give promotion from the ranks. We have many cases of inspectors rising from the ranks. Their service will count from the age of 18.

1322. Will the service of the native assistant superintendent count on more favourable terms than that of a European assistant superintendent?—If he rises from the ranks, I think so. He counts his service the whole time.

1323. You have no instance, I suppose, of a European officer rising from the ranks?—No.

1324. I do not quite follow the remark you made about the senior and junior officers who were under different rules of pension, where you had found that a junior officer got better pension and better furlough pay than the senior officer?—That is not as regards pension, that is as regards furlough. In 1872 the Secretary of State admitted a certain number of officers to what is called the more favourable leave rules; that is the same kind of leave as covenanted civilians and military men in civil employ. That was a selection. The conditions were that the men should be of European parentage, and that they should have held an appointment of not less than 600 rupees a month at that time. Therefore the selection was made of these men, and then names were put in a schedule, called Schedule B. That privilege was stopped then; that list was made; no more men were admitted to the rules under the orders of, I think Lord Salisbury, or the Duke of Argyll, who said, as regards the uncovenanted service generally, that Europeans appointed to offices which could fitly be held by natives should not receive more advantages than natives received. I will explain how it comes to pass: The police is not a seniority service. Promotion goes by merit; this leave did not go by merit; it simply went by the pay that a man was getting; for instance, one man would be included in the more favourable rules if he was getting 500 rupees a month at that time, while the man above him was getting 600 rupees; as years went on, this man at 500 rupees a month being a more efficient officer, got promotion to a higher grade over the others head; this man being in the list still continues to get the more favourable leave rules, while the man who was above him does not.

1325. You gave us a very extraordinary case which came under your inspection duties, of a badly administered district where the police officer was in a bad state of health?—Yes.

1326. What was the report on that police officer?—I reported unfavourably.

1327. And he was still retained?—He had only a few months to serve before he would be 55, and he took a short leave in India; a man was sent in his place. He attained the age of 55; he came home, and he died.

1328. Do you find it generally the case where men are unfit to carry on their duties, that out of a sort of commiseration for their unhappy position, the responsible officers in the administration will allow them to go on?—I think the tendency is that way.

Mr. *King.*

1329. How many years have you served, including furlough?—Thirty-one years.

1330. How many years of actual residence?—Twenty-seven years and three months.

1331. You stated that you came into the service under the pension rules of 1855?—Yes.

1332. You mean by the Despatch of the Court of Directors; the Despatch limiting the pension to 500 *l.*, do not you?—Yes.

1333. And the leave rules of 1856?—Of 1856.

1334. In what respect did those leave rules differ?—Three years leave under the leave rules of 1856 counted as service towards pension.

1335. One thousand eight hundred and fifty-six?—One thousand eight hundred and fifty-six; that privilege was withdrawn in the leave rules of 1862.

1336. And you who entered under the leave rules of 1856 have been deprived of that privilege?—Yes.

1337. By *ex post facto* legislation?—Yes.

1338. Did you get any equivalent offered to you?—No.

Chairman.

1339. What do you mean by saying you were deprived of that privilege; by what were you deprived of that privilege?—I mean to say that my service now will not count. I have passed nearly four years on furlough, and that does not count.

1340. But why?—Because the leave rules of 1862 are applied to me.

Mr. *King.*

1341. Were you never notified of the change?—Never; I went on furlough in 1866 on medical certificate; I had no option, I had to go. The leave was granted to me under the leave rules of 1862. I never was asked to exercise any option. I took it that I was bound to go under the leave rules in force, for I had got no option.

Chairman.

1342. When you came into the service you came in under the rules of 1855?—Yes, the pension rules of 1855.

1343. The leave rules?—The leave rules of 1856.

1344. You say the leave rules of 1856 applied to you; and that in 1862 some new leave rules were issued?—Yes.

1345. When did you apply for leave next?—In 1866.

1346. How did you apply for leave?—On medical certificate.

1347. Did you apply under the rules of 1862?—No, I did not think I had any option.

1348. Did you apply or not?—No; I did not make any special application as to any particular rules.

1349. In 1866 you applied for leave on medical certificate?—Yes.

1350. Did you get your leave?—I did.

1351. Did you get the leave to which you were entitled under the rules of 1862, or under those of 1856?—I got 20 months' leave under the rules of 1862. Under the 1856 rules I would

Chairman—continued.

have got 12 months, with the option of taking eight months more.

1352. Did you get your leave under the rules of 1862?—Yes.

1353. And not under the rules of 1856?—Not under the rules of 1856.

1354. Have you had any leave since?—Yes.

1355. Again under the rules of 1862?—Yes.

1356. What did you apply for on the second occasion?—On the second occasion I applied for furlough.

1357. Was it furlough to which you were entitled under the rules of 1862, but not under the rules of 1856?—Yes; the leave rules of 1862 were made applicable. There was no option allowed. It was stated: for the future these will be the leave rules; and they were made applicable with retrospective effect. It was not said, as the Court of Directors said, for instance, in 1855, "These rules are only to apply to men hereafter appointed."

1358. Were not the rules of 1862 more favourable than the rules of 1856?—I do not think so. For instance we could get the same amount of medical leave. We could get private leave for six months on the same terms twice in our service, and all that would count as service under the rules of 1856. If it had been put to me for instance, it would have suited me better to have taken the leave rules of 1856.

1359. But, as a matter of fact, you never did claim to take the leave rules of 1856?—I never did claim, because we understood that these were the leave rules, and that we had no option.

1360. Do I understand that you say you have been treated with injustice, although you never claimed your right?—When a Government introduces leave rules, and says "These are the rules," is it for the servant to protest, and say "No"?

1361. As I understand, you have never sent in any claim to the Government of India, to take leave under the rules of 1856?—No; I have never made any official claim.

Mr. *King.*

1362. Have you ever put forward any claim to be allowed to count your furlough for pension, on the ground that you came in under the terms of the rules of 1856?—No.

Chairman.

1363. You are not pensioned yet, are you?—No.

1364. The question of pension is *in futuro*?—Yes.

Mr. *King.*

1365. You would have been entitled to-day to the full term of pension under the leave rules of 1856, would you not?—No.

1366. You have been 31 years in the service?—I have been 31 years in the service. Then I should have had to get a medical certificate.

1367. You would have had to retire on medical certificate?—Yes; there is another point in connection with that. There was another rule brought

Mr. *King*—continued.

brought in with retrospective effect; that is the compulsory retirement at 55, and that applies to me, and I will have to come under that.

Mr. *Barbour.*

1368. Do you think that a hardship?—Well, it was not in the conditions.

Chairman.

1369. As I understand you, your grievance is an anticipatory one; you have not yet been treated with injustice; you only think that you will be?—I have not yet been retired on pension.

Mr. *King.*

1370. You have not been allowed to count any term of furlough for pension?—No.

Chairman.

1371. The time has not come to claim to be allowed to count furlough for pension, has it?—No.

Mr. *King.*

1372. Your pension has not been fixed yet?—No.

Chairman.

1373. You are only afraid that retrospective effect will be given to these rules; you cannot say that it has been?—Not in my case; I cannot say that until I come to the time for the pension.

Mr. *King.*

1374. Do you know any case in which retrospective effect has been given to them?—I have not inquired, and I do not know that I could specify any.

Chairman.

1375. I understand your case to be one where you think the Secretary of State will give retrospective action to the rules against you. You admit that he has not done it yet, and that you do not know of any case in which he has done it?—That is so.

1376. It has been notified to you that if you take the benefit of the new leave rules, you must take the effect of the new pension rules too?—I know that that is so.

1377. But I understand you deny that in your individual case you have taken the benefit of them?—As far as I know it was entirely unknown that that was intended, because I think it would have been the subject of general remark; that is to say, unknown to the uncovenanted service generally. And another most important point is that that condition was not introduced with the pension rules. Those were published on the 8th June 1863, and that notification, as I understand it, reading it up lately, was only published on the 9th March 1865, and that with reference to an individual case, so that it was very natural that we should not know anything about it. Surely it is only fair, when pension and leave rules are introduced, to say, These are the conditions. If that had been done we would all have looked up and compared the two sets of rules.

1378. As I understand you, you thought, in the absence of any declaration to the contrary, that you were entitled to pick the benefits of the new leave rules, without, at the same time, rendering yourself liable to the new pension rules?—I never got any option; I mean to say that I think it is not fair to introduce new rules putting down new conditions of service, without giving me notice at the time, and saying "which will you elect." That was never put to me.

1379. On the other hand, it never was put to you that those rules would have retrospective effect, whether you would or no?—I never thought, for instance, that my taking the leave rules would prejudice my claim to pension; and how should I think it?

Mr. *King.*

1380. You were not aware of the Despatch (which is quoted upon page 59 of the case) by Sir Charles Wood, which says, "It must be understood that an uncovenanted servant will not be allowed to take his pension under the old rules if he has at any time availed himself of the benefits conferred by the new leave regulations"?—I was not at all aware of it.

1381. That Despatch was not published in India, was it?—When I took the leave rules I was not aware that that prejudiced my claim to a sterling pension; that is the point. There was nothing whatever to show me that it did. Now I am told that it did; and afterwards I was told that it did.

Mr. W. M. FLETCHER, called in; and Examined.

Chairman.

1382. I BELIEVE that you were appointed an uncovenanted officer in the service of the Government of India, in January 1866?—I was.

1383. Were you appointed by nomination of the Bombay Government?—By nomination, by appointment in the Government Gazette.

1384. Are you a member of the Revenue Survey Department?—Yes; I am the Superintendent of the Deccan Revenue Survey.

1385. Is it your opinion that no distinction should be made between officers who are recruited in India and those who are recruited in England?—Yes.

Chairman—continued.

1386. Why?—For many reasons. They are both recruited from exactly the same class; they fill responsible posts calling for similar qualifications. If you will allow me to illustrate it by my own case, I may say that I was educated at a public school, Marlborough; I was intended actually for the Civil Service. Before I was able to go up for the examination I was examined by Sir William Gull, the then President of the College of Surgeons, who pronounced me at the time physically disqualified; he could not give me the certificate which was required for the Covenanted Civil Service at that time. So my guardian sent me out for a voyage to India to

Chairman—continued.

to see my friends, my parents. While I was there I was offered an appointment in the Revenue Survey. At about the same time the standard of medical certificate required for the Covenanted Civil Service was altered, and it became a question whether I should return to England and go on with my preparation for the covenanted service, or accept the appointment which was offered me on the spot. I made inquiries through my friends, my father, who was in a position well able to learn all about it from his friends in the various services, and the result was that I accepted that appointment.

1387. Let me take the question of pension. You think you are entitled, when you retire, to a sterling pension?—I do.

1388. Is that on the ground that you had no reason at the time you joined the service to anticipate the present fall in the rupee?—I had no ground myself to anticipate any fall, and from the notifications and Despatches of the Government at the time, it was obviously the opinion of the Government iself that there would be no fall in the rupee, or that at all events they would continue to pay our pensions practically at par, or approximately at par.

1389. You refer to the Despatches of which evidence has already been given to the Committee?—Yes; and I refer to inquiries that I made at the time, through my relations and friends, the result of which was that up to, and for years after, my appointment the rupee was always looked upon as about the equivalent of 2 *s.*

1390. Do I understand you to say that through your friends, at the time you entered the service, you made inquiries about the rate of exchange?—Certainly,

1391. Were you aware that your pension would be paid in rupees?—I was aware that the pension was to be 5,000 rupees, or 500 *l.*

1392. Were not you aware that pensions, at the time you entered the service, were paid in rupees in India, but if paid in London were paid at the official rate of exchange?—No; the result of the inquiries I made at the time, through my friends, and that my father made, was that pensions were paid at par in England.

1393. Were they paid at par without reference to the official rate of exchange?—So we understood; practically at par. That is what I understood at the time.

1394. When you say "practically at par," do I understand you to say that after all your inquiries you were ignorant of the fact that the rate at which pensions were paid in London depended upon the official rate of exchange?—The result of my inquiries was the conclusion that pensions would be paid practically at 2 *s.* to the rupee.

1395. That is not quite my question. My question is, were you ignorant of the fact?—I understand what you mean, I think.

1396. Do you know as a fact now, after all that has been published and said upon the subject, that at the time when you were appointed the rate at which pensions were paid in London depended, as a matter of fact, upon the official rate of exchange?—I know there is a clause to that effect in the rules of 1863 or 1864.

1397. Now do I understand you to say that at the time you joined the service you were ignorant of that fact?—It is so long ago that I cannot say whether I remember the phrase "official rate of exchange" or not.

1398. Then you do not know whether you were ignorant of that fact at the time you joined the service?—Not as to the official rate of exchange. I am quite clear that I was aware of the fact that pensions would be paid approximately at the equivalent of 2 *s.* to the rupee. The rules also of 1864 mentioned salaries in rupees and pensions in sterling.

1399. Did not they mention the rupees and sterling?—Yes, that is so.

1400. They treated the pound sterling as the equivalent of 10 rupees?—Yes.

1401. How long have you got to serve in India before you get a pension?—Thirty years under those rules

1402. Do you consider that too long?—Certainly I consider it too long.

1403. Have you anything fresh to say upon that head, that has not been brought before us by any other witness?—I am not aware that I have anything more than has been already offered you on that subject, and is included in the printed case that has been handed to the Committee.

1404. Then with regard to the rule that service before the age of 22 does not count towards pension, have you anything to say about that that has not already been said?—Yes; I myself was appointed at about the age of 19½, and within about nine months from that time, or say a year (it was rather less than a year), I had qualified for independent charge of a field establishment, and was put in charge of a field establishment. I passed the prescribed examinations, and was put in charge of a field establishment; therefore at the age of 20½ I was already performing independent duty; and I think it is unfair that that should not be allowed to count for pension, that was perfectly efficient duty.

Mr. *Buchanan.*

1405. At the time you were appointed you did not look very narrowly into this clause as to the payment of your pension according to the official rate of exchange, I gather?—That clause was always looked on at that time as merely a provision to protect the Government against a rise in the rupee; that was the sense in which everyone at that time took it.

1406. You knew or were told that at that time the rate of exchange did equal 10 rupees to the £.?—Yes, approximately.

1407. And you did not make any further inquiries into the subject?—That was not all; my father made many inquiries. I remember his saying distinctly that he was quite satisfied that 500 *l.* pension was what I might look forward to.

Mr. *Howorth.*

1408. You said just now that you thought the conditions of the men who are domiciled in India should be put upon exactly the same footing as men who are domiciled in England and enter the service from India?—No, excuse me, I have never said anything about domicile. I have said that officers, such as I am speaking of, officers of departments,

Mr. *Howorth*—continued.

departments, appointed in India, should have the same terms as those appointed in England.

1409. Are a large proportion of those men men who are domiciled in India?—No; in my department, none. All the officers of the Revenue Survey hold appointments which were specially mentioned by Sir John Lawrence in his Despatch on the subject as being not fit to be held by natives of India at present, or for a very long time to come. They were appointments which he considered, and regarding which the Government of India has on many occasions expressed the same opinion, should be held by English gentlemen recruited from the same classes as the Covenanted Civil Service.

1410. Is the whole of your service uncovenanted?—No; the department was in the first instance started by a Royal Engineer officer, Sir George Wingate, and it has been officered by uncovenanted men and military men in civil employ all along. I have risen in the department alongside of military officers, and they have been my subordinates also. There has been no difference made between us in the actual work on which we were employed or the pay we drew; but there is a very great difference made between us in our leave and pension rules.

Mr. *Howorth*—continued.

Mr. *King.*

1411. You referred to a Despatch of Lord Lawrence's with regard to the Revenue Survey Department to which you belong; have you got it here?—I have it.

1412. Will you read to the Committee a short extract from it?—It is Despatch No. 703. of 30th January 1869 (page 9 of the Case). The quotation is paragraph 7.

1413. Then you need not trouble to read it. I did not know it was in the case?—That is the one I referred to.

1414. Does any of your furlough count towards pension?—None of my furlough.

1415. The Government have granted to the Engineer Telegraph Department the right to count a certain proportion, have not they; I mean the Secretary of State's men?—They have.

Mr. THOMAS JONES, called in; and Examined.

Chairman.

1416. ARE you a Judge of the Small Cause Court at Calcutta?—I am one of the Judges of the Calcutta Presidency Court of Small Causes.

1417. When did you enter the service of the Government of India?—My appointment was dated the 2nd September 1856.

1418. Were you appointed by competition or by nomination?—Competition had not been introduced at that remote period, if I may except the fact that competitive examinations for posts in the public service in Calcutta were first of all devised and carried out by myself.

1419. Then you entered by nomination?—By nomination.

1420. Who gave you your nomination?—The Lieutenant Governor of Bengal, Sir Frederick Halliday, through the nomination of Sir William Grey.

1421. Have you anything to add to the evidence which has been given before the Committee upon the subject of the depreciation of the rupee?—I think I have.

1422. Will you tell us anything that you have to add?—Mr. Jenkins' evidence has made it clear that uncovenanted pensions range under three several sets of general rules, namely, the rules of 1831, 1855, and 1863–64. The printed abstract of the case treats of the pension question under two heads (A) and (B), but the views which have been expressed by the Right Honourable Chairman in regard to (B) (having reference to Section 2 of the Code) will relieve the members of our service of an incubus of anxiety, and it will not therefore be necessary for me to dwell upon that feature of the case. It is now rendered clear to the service that pensions are governed by the rules in force at the time when an officer enters the service; that officers appointed prior to the 19th May 1855 will be admitted to pension under the rules of 1831, and that, both in their case and in that of officers

Chairman—continued.

appointed subsequently up to 1859, the provisions of the rules then in force were ratified and continued to them by the Statute of 21 & 22 Victoria, chapter 106. I shall not take up the time of this Select Committee by stating what has been already described by Mr. Jenkins, as regards the conditions and advantages of the different rules, but it is worthy of note that those original rules were framed by the Civil Finance Committee of Bengal, of which Mr. J. Holt Mackenzie (a great Indian administrator) was a member, and the list of public officers appended to their report shows what was the character of the uncovenanted service to whom the rules were intended to apply; and that list, as drawn up by the committee, is subjoined to the rules themselves. It embraces a number of different officers, beginning with the officers at the head of public departments, secretariats, and so forth, registrars, head clerks, and accountants, indexers, examiners, readers, librarians, record keepers, translators, interpreters, &c. At that time European officers were not appointed to posts of the descriptions embraced in this list, but from an annotated copy of the rules of 1831, which was published in the Bengal Directory and Annual Register, it will be seen that officers of the Trigonometrical Survey were afterwards admitted to the benefit of those rules. Subsequently it will appear from the Despatch of the Government of India, No. 67 of 1854, that important appointments, such, for instance, as that of Senior Magistrate of the Calcutta Police, the Postmaster General of Bengal, and others with salaries ranging from 800 rupees up to 2,000 rupees a month, were brought within the operation of those rules of 1831. Having been appointed in 1856, the exposition which I will have to submit will have reference more particularly to the rules of 1855. As regards the rates of 400 *l.* and 500 *l.* which were specified in

Chairman—continued.

in the Despatches and in the notifications of the Government of India, I respectfully submit that the whole question is, what was understood at the time when officers entered the service at the several periods of the rules already quoted? I do not refer to what was understood by the officers themselves, although they of course saw only the Despatches of the Government of India and the notifications, in both of which the amounts of pensions were specified in sterling. They also had the examples before them of the pensions drawn by their contemporaries at the sterling equivalents of their half salaries. I may be permitted to refer to a few individual cases, as to which I have all along been under the impression that the officers concerned drew their pensions in sterling. These are all cases of men with whom I was personally acquainted, beginning with Mr. Burlton Bennett, who was Postmaster General of Bengal. After having served as Deputy Postmaster General at 700 rupees a month, he was raised to a salary of 1,500 rupees a month, and the pension in his case, as set forth in minutes in the Blue Book and in the evidence of Sir Thomas Seccombe, was 631 *l.* 16 *s.* In the case of Mr. Macleod Wylie, who was a judge of the Small Cause Court of Calcutta, after having served as junior Magistrate of Police for some years, we find a pension accorded to him of 800 *l.* Mr. W. H. Smoult, who was a taxing officer of the Supreme Court (but I forget what the salary was), was allowed a pension of 720 *l.* Mr. Burlton Bennett was succeeded by his Deputy Postmaster General, Mr. C. K. Dove, on the same amount of salary, and he retired on a pension on 600 *l.* The probability is that those pensions were calculated with reference to the average of five years prior to their retirement, that is, partly on a salary of 1,500 rupees, and partly on the lower salary of the Deputy Postmaster General of 700 rupees per month. In another case, Mr. Crank, who was an officer of the Salt Department, who drew 500 rupees a month in India, was allowed to retire on a pension of 500 *l.*, and these figures are, as I have stated, taken from the evidence given by Sir Thomas Seccombe.

1423. All this information has been already put in?—I was not aware of that.

1424. We have a list of all the pensions granted?—Then I will proceed, with your permission, to say that even up to 1870 the Government Resolution, dated the 1st July of that year contains no fewer than 20 specific references to the amount of pensions ordered by the Court of Directors and the Secretary of State, the amount of which is in every instance expressed in sterling; while in the orders of the Government of India the like amount is stated in sterling with the rupee equivalent, the sterling expression being employed apparently to indicate the rate of pension for servants retiring to Europe, and the rupee limit as applying to the more numerous class of uncovenanted servants whose home is India. The question, as I have said, is not what was understood by the officer, but what was he expected by the Government who sanctioned the rules to understand; in other words, what were the precise intentions of the honourable Court of Directors and the Secretary of State? I

Chairman—continued.

shall, in the first instance, respectfully beg attention to the statutory principle which underlies the grant of official pensions. In the Pensions and Allowances Act, 4 & 5 Will. 4, c. 24, it is laid down: "the principle of the regulations for granting allowances of this nature is and ought to be founded on a consideration not only of the services performed by the individual to the State, but of the inadequacy of his private fortune to maintain his station in life."

Mr. *Barbour.*

1425. Is that in the contract in any way with the public servants?—No; I am referring to the Pensions Allowances Act as enunciating the principle upon which the grant of pensionary allowances is in the case of public servants entirely based; and I proceed to argue. It has been seen that the half-pay limit was reduced in 1885 distinctly to meet the case of Europeans on high salaries. It is stated in the Despatch that, "in the case of certain highly paid appointments the occupants were entitled under the rules of 1831 to half-pay pensions varying from 500 *l.* to 1,200 *l.* per annum." The rules being considered "defective in this particular," a limit was fixed at 500 *l.* How, then, it may be asked, was this particular figure arrived at; and why were uncovenanted pensions thus limited to 500 *l.*? Because "the pension" (say the Government of India) "allotted to covenanted civil servants free of payment is only 500 *l.* a year after 25 years' service; and in the honourable Court's Despatch, after stating that uncovenanted officers receive a half pension varying from 500 *l.* to 1,200 *l.* per annum, it is added, "Whereas the covenanted servant after 25 years' service receives a pension from the Government of only 500 *l.* in any case." Thus it would appear that inasmuch as the unsubscribed half moiety of the pension of the covenanted officer had been fixed at 500 *l.*, the Government of the day considered that that might and should form the maximum limit of pensions of uncovenanted servants. Now we have no contemporaneous exposition of the meaning and force of those particular portions of the Despatches which I have read. They must be considered, therefore, to explain themselves; and seeing that the new rules and restrictions were designed specially to meet the pensionary necessities of retired uncovenanted officers on high salaries, while the maximum rates of 500 *l.* and 5,000 rupees were practically identical, it is submitted that it appears certain that the sterling rates specified in the Despatches and notifications expressed the precise measure at the time of the intended pensionary support for the superannuated officer. In brief, it is submitted that what was intended to be expressed, and was expressed, was not merely the amount, but the value, of the pension allowed to the retired uncovenanted officer. Assuming only that the statutory principle already referred to was present to the minds of the framers of the rules, it is quite certain that the values expressed by 400 *l.* and 500 *l.* were intended and continued alike by the rules of 1855 and the Statute 21 & 22 Vict. c. 106. This distinction between the amount of the pensionary allowance and its actual value was a consideration

Mr. *Barbour*—continued.

a consideration dwelt upon by the Civil Finance Committee at the time of framing the original rules. Repeated orders, passed at different periods, prove that both the honourable Court and the Secretary of State, were disposed towards a liberal and equitable application of these pension rules. It was impossible to foresee what was described by Sir Thomas Seccombe as "the difficulties of exchange, and dangers of remittance," and the matter of exchange was considered merely as a question of convenience. At the time when, in 1863, the Secretary of State wrote that the official rate fixed on the intrinsic value of the rupee "appears to be equitable, for the payment in England of the pensions of uncovenanted servants," that rate was 2 *s.* the rupee, whilst the market rates are shown to have varied between 1 *s.* 11½ *d.* and 2 *s.* 5⅝ *d.* Apparently, therefore, it was the value of the remittance at the time which was regarded as "equitable" for the payment of pensions in England. If the Select Committee will permit me to suppose the case, not of silver, but in place of the depreciated value of the rupee, the calamity which has befallen silver had overtaken gold, if the yield of auriferous tracts recently discovered in Wales, at the Cape, and elsewhere, had produced ——

1426. Is not this rather an argument than a statement?—I would only say that no uncovenanted servant would have presumed to ask the Government of India to allow him, if he was drawing his pension in England, to draw it in rupees in India.

Mr. *Barbour*—continued.

1427. Would you tell the Committee what was the amount of salary you were receiving in 1862?—I am not quite sure; but it exceeded 1,000 rupees a month.

1428. In 1862?—In 1862. At that time I held the office of registrar of the Bengal Office.

1429. You held the office of registrar of the Bengal Office and were receiving more than 1,000 rupees a month?—Yes.

1430. And you are receiving a salary of 1,300 rupees a month as a judge of the Small Causes Court?—Yes. Might I be permitted to state the case of the judges of the Small Cause Court? At the present time there are four judges, the whole of whom are barristers. At the time the Act, with the rules, of 1864 came into operation, it was by that Act prescribed that one judge of the court should be a barrister; and the first judge of the Small Cause Court retires on a pension of 750 *l.* a year. Since then the work of the court has a very largely increased, and other barristers are appointed to the different judgeships. They retire, under the rules, upon a pension, it may be of 500 *l.* per annum, which, at the present rate of exchange, is reduced to a sum of something like 340 *l.* I have a Paper (if I may be permitted to put it in) bearing upon this subject.

1431. You may hand in any Paper you like?—It is a Paper prepared by one of my colleagues.

1432. Perhaps you will hand in that Paper; that will give us the information. (*The Paper was handed in.*)

The LIST of PENSIONERS is as follows:—

		Salary.	£.	*s.*	*d.*
J. R. B. Bennett	Postmaster General of Bengal	1,500 rupees	631	16	–
C. K. Dove	Postmaster General of Bengal	1,500 „	600	–	–
M. Wylie	First Judge, Small Cause Court	1,500 „	800	–	–
W. H. Smoult	Taxing Officer, Supreme Court	— „	720	–	–
Captain Burbank	Master Attendant's Department	500(?) „	570	–	–
G. B. Hampton	Deputy Collector	700 „	402	6	–
F. Crank	Superintendent of Salt Chowkies	500 „	500	–	–
E. W. Hoppner	Surveyor General's Department	500 „	276	–	–

These rates of pension are taken from the Parliamentary Report on East India Finance, 1872.

Other witnesses having been examined respecting the operation of the Furlough Rules, I was desirous of having an opportunity of answering the like questions. All I desired to say was:—

1. Looking to the arduous nature of the duties performed by judges of the Presidency Small Cause Courts, also their special training and attainments, they desire to be put upon a position (as regards furlough counting as service) not less favourable than their brethren in the Public Works and Telegraphs.

2. I do not perceive any necessity for reducing the limit of age for computation of period for pension. Mr. Hynes, while asking for a relaxation of the rules, acknowledged that there should be some limit of age. A few months ago an East Indian lad of 14 took his B.A. degree at Bombay. He would be qualified for the public service at 15. Twenty-five years added to the age of 18 or 20 would leave a man in the prime of life. When I was Assistant Secretary to the Government of Bengal I was employed largely in the reorganisation of Public Departments in Calcutta, also at Madras, and I am warranted in saying that uncovenanted officers (especially Europeans) are usually at their best at the age of 50—55.

17 *July* 1890.

Mr. PAGET VYVYAN LUKE, called in; and Examined.

Chairman.

1433. ARE you in the Telegraph Service of the Government of India?—I am.

1434. Did you join in 1868?—I did.

1435. Did you join by nomination or by competition?—By both competition and nomination.

1436. What is called limited competition?—Limited competition.

1437. What you come to speak to the Committee about is merely the question of the exchange value of the rupee?—That is all.

1438. Have you got anything fresh to say, beyond what has been said by other witnesses?—The point I wish expressly to bring before the Committee is that I and others who hold similar covenants come under exceptional covenants.

1439. Do you speak for the whole Telegraph Department?—No; I speak for those who hold similar covenants to mine.

1440. Is your covenant printed in the case?—My covenant is not printed in the case. I have copies of the covenant here (*handing in the same*), and I have my own original covenant.

1441. What is the particular point in the covenant to which you wish to draw our attention?—I wish first of all to direct the attention of the Committee to the prospectus which set forth the agreement we were led to expect when we joined the Department, and to point out that in that prospectus the whole of the emoluments are given in pounds sterling, to mention whatever is made of rupees; the salaries are set forth in pounds sterling. No mention whatever is made of the word "rupees."

1442. The date of the contract is 1867, is it not?—I wish to be allowed to read certain extracts from the covenants.

1443. One of those had better be handed in to the Committee Clerk, and a copy of the agreement too?—I will hand them in. (*The documents were handed in.*)

1444. What is the point you have to mention?—I wish to draw attention to the articles of agreement, or the covenant which I entered into with the Secretary of State before taking up my appointment. Under the marginal reference of "Salary," it is stated that my pay was to rise from 240 *l.* per annum, by annual increments of 30 *l.* to 500 *l.* per annum. Under the marginal reference "Furlough allowance," it is stated that when absent on leave my salary was to be regulated in accordance with the rules of the Public Works Department, and under the marginal reference of "Pension" it is stated that I shall be entitled to the benefit of the pension rules applicable for the time being to persons appointed to the Public Works Department. Following these clauses, under the marginal reference, "Rate of Exchange" is the following proviso: "And it is agreed that in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of 10 rupees." Farther on, under the marginal reference of "Penalties," it is provided that in case of absence without leave I should pay a fine of 20 *s.* per diem for every day so absent, and that in the case of quitting the service without notice, I should pay 200 *l.* as damages. I would ask the Committee what was the idea in the mind of the person who fixed the scale of emoluments? After reading the terms in which the prospectus and covenant are couched, what other interpretation could any young man place upon them except that it was the intention to convey the meaning that 10 rupees in India and one pound in England were one and the same thing.

Chairman—continued.

1445. Are you paid in rupees or in sterling now?—My salary is paid in rupees. My furlough allowance is paid in sterling. I have never had to pay a fine of 20 *s.* a day for absence without leave, so I am unable to say what rate would have exisited for the conversion of shillings into rupees for payment in India; but I have always had my salary paid in rupees, and my furlough allowance in sterling. I contend that the only possible interpretation which could be placed upon them by any young man reading these conditions was, that whatever payments had to be made under the terms of the covenant would be made at an equivalent rate of 10 rupees to the pound sterling.

1446. Do you contend that your salary ought to be paid in sterling?—No; I merely state that it has been paid in rupees.

1447. You do not contend that your salary ought to be paid in sterling?—It depends. If I am entitled to the 10 rupees to the pound, then I ought not to get my salary at the current rate of exchange; but according to the covenant I have agreed to accept 10 rupees to the pound, and I have hitherto always accepted it at that rate. I have never raised any complaint about that.

1448. Then I do not quite understand what your grievance is as respects this?—I wish for an assurance that when I come to draw my pension I may also draw whatever pension I may earn at the rate of one pound to 10 rupees. I contend that reading the articles of the covenant, it was, at any rate, a very likely interpretation that any young man would put upon this, that he might possibly, if he lived long enough and served long enough, earn a pension of 500 *l.* per annum, paid in his own country at the date of his retirement. Certainly, if the depreciated value of the rupee is to be taken into consideration as regards payments to be made in England, why not also as regards payments made in India. In which case salaries fixed in pounds sterling would be payable in India at the current rate of exchange and not at the rate of 10 rupees to the pound. My contention is that pension as deferred pay is a payment to be made under the covenant or articles of agreement, and that, as all payments under such covenant or articles of agreement were fixed at the rate of 10 rupees to the pound, pensions should also be paid at that rate.

1449. Do you know that Sir Horace Davey interpreted that proviso differently to what you interpret?—I do not understand the legal view of

Chairman—continued.

of the question at all. I am merely putting forward our contention.

1450. You are putting it forward on moral grounds; that, whatever the legal interpretation, a man would suppose that the words "all payments made under these presents" would include pension?—I think certainly they would. I think anybody starting in life would look forward to the 500 *l.* a year which he was given to understand was the maximum he might earn under the rules if he lived long enough and served long enough.

1451. And in fact you say that it required the legal acumen of Sir Horace Davey to discover that?—Yes, certainly it did. I have not that legal acumen to discover it myself.

Mr. *Buchanan.*

1452. Your grievance is confined to pension?—Entirely.

1453. Are there many other gentlemen serving under this agreement?—Originally there were 72 of us held these covenants; I suppose now there are between 50 and 60 left.

1454. Have any of them qualified for pension yet?—Three gentlemen have qualified for pension, and their pension has been paid, I believe, at the rate of exchange; and that is what leads me to think that when my time for retirement comes it will apply to me at the same rate.

1455. Have they made any formal complaint upon the subject?—No; I believe they have made no formal complaint.

Mr. *Bristowe.*

1456. I understood you to say that in your covenant there was no mention made of rupees at all?—I do not say in the covenant. In the prospectus there is no mention made of rupees.

1457. Then you agreed to take rupees in India?—I agreed to take rupees whilst in India.

1458. The covenant was different to the prospectus; that is all, is it not?—The covenant was different to the prospectus. I would submit that my right to a pension, and, therefore, to payments in respect thereof, was created by the articles of agreement; and that, as all payments under the agreement are to be made at the rate of

Mr. *Bristowe*—continued.

10 rupees to the pound, I respectfully submit that, a liberal view should be taken of the covenant or articles of agreement, as a whole, and that upon my retirement the Government should not seek to exclude the operation of the fixed rate in case of payments to be made in respect of my pension. I have no wish to occupy the time of the Committee with further arguments. Memorials on the subject have recently been submitted by a number of officers concerned to the Right Honourable the Secretary of State for India, in which their claims to pension at par are fully set forth, and to these memorials, especially those from Mr. C. E. Pitman and Mr. E. C. Bird, I beg to solicit a reference, should additional information be wanted.

1459. You speak for the class of public servants who hold under these covenants?—Under these covenants. The statement made in the House of Commons on the 31st May 1889 by the Under Secretary of State for India, to the effect that there was every disposition to deal generously with individual cases, and that where any officer could show that by the exceptional character of his agreement he was entitled to be paid in sterling, in sterling he would be paid, has raised our hopes and led us confidently to expect that our pensions will be granted to us at the rate of exchange fixed in our covenants, namely, at 10 rupees to the pound sterling, payable in England.

Chairman.

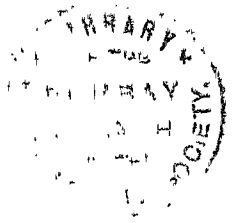
1460. No one has yet actually raised the point?—Only three gentlemen have retired, and that recently, under this covenant.

Mr. *Howorth.*

1461. Were you in the Afghan War?—I was.

1462. What post do you fill now?—I am a director of telegraphs in India. I am director of construction. I have charge of the construction of all the lines in India.

1463. Were you decorated for your service in the Afghan War?—I was. I have got the medal, and was created a Companion of the Indian Empire.



Tuesday, 22*nd July* 1890.

MEMBERS PRESENT:

Mr. Barbour.
Mr. Bristowe.
Mr. Buchanan.
Sir John E. Gorst.
Mr. Howorth.
Mr. King.
Mr. MacNeill.
Mr. Alfred Pease.
Sir William Plowden.

THE RIGHT HONOURABLE SIR JOHN E. GORST, IN THE CHAIR.

Mr. JAMES WRIGHT CHISHOLM, called in; and Examined.

Chairman.

1464. WHEN did you join the service of the Government of India?—In August 1852.

1465. By competitive examination or by nomination?—By nomination. I received that nomination from Mr. Muir, now Sir William Muir.

1466. What was he?—He was Secretary to the Government.

1467. You served for how long in India?—Over 37 years.

1468. Mostly, I believe, in appointments which are generally held by covenanted civilians?—For 29 years in appointments which are usually held by covenanted civilians.

1469. Have you now retired on a pension?—I have now retired on a superannuation pension.

1470. Of what amount?—The ordinary pension, 5,000 rupees, with an additional 1,000 rupees for services of extraordinary merit.

1471. Have you got anything new to tell the Committee about the grievances of the service?—I do not know that I would occupy the time of the Committee very much by reading my case, if I might be allowed to do so. Of course, I may preface it by saying that the case is still pending.

1472. Instead of reading your case, would you just tell us shortly its main points; and whether there is anything you wish to add to the evidence which has been already given?—I have the disadvantage that I have not been here every day; I was only able to come one day. I was laid up and could not come.

1473. Is there anything in your case that differs from the general case already laid before the Committee?—I will state it very shortly if you will allow me; it is not a very long case.

Mr. *Barbour.*

1474. Is this a general or a special case?—It is a general case so far as it applies to all deputy commissioners, all men in civil employ. It applies practically to all the heads of departments. The grievance is this, that the pension is limited to 5,000 rupees (of course, leaving out the special 1,000, which is a special case), which until very lately only represented 330*l.*, and, of course, where the rules have been applied retrospectively that operates very harshly. I will state the case very shortly.

Mr. *Barbour*—continued.

1475. Did you say that your case was *sub judice*?—It has been disposed of by the Government of India under the rules.

Mr. *Bristowe.*

1476. Do I understand that you have, or that you have not got a legal case going on with the Government?—Oh, not at all. I have no legal case going on with the Government at all.

Chairman.

1477. Then the Committee would like to hear your case; state it as shortly as you can?—I entered the service of the Honourable East India Company in August 1852, and retired under the 55 year rule, necessitated by impaired eyesight, on a superannuation pension, in September 1889. I thus served the Indian Government for a period of over 37 years. For the first eight years of my service I held strictly uncovenanted appointments, and for the remaining 29 years appointments usually held by covenated civilians. When I retired I was commissioner of division and sessions judge, an office which I had held for some nine years, on a salary of 30,000 rupees per annum. At the time that I entered the service the pension rules in force for uncovenanted servants were the Rules of 1831. The following was the rule in regard to pensions on medical certificate after 30 years' service, "If the period of actual service shall have been 30 years or upwards the amount of the pension shall not exceed one-half of the salary or authorised allowance of the individual, calculated on an average of five years previously to the date of application for pension." As regards superannuation pension, the

Chairman—continued.

the Court of Directors authorised the Government of India "to grant to any uncovenanted servant belonging to a class recognised by the present rules, who, though not possessed of a medical certificate of incapacity may be permitted to retire from the service, and who can produce unquestionable testimonials of a faithful and efficient discharge of his duties during a period of 35 years, a pension equal to half the average salary which he may have received during the last five years of his service." There is a distinction to be noted in the wording of those rules. The invalid pension after 30 years' service was not to exceed one-half the salary; the superannuation pension, after 35 years' service, was to equal half the average salary, provided the service rendered was of a faithful and efficient character. In 1855 the question of the revision of the rules came under consideration, and the Court of Directors fixed, in the case of persons subsequently entering the service, 500 *l.* as the maximum pension which any uncovenanted servant could receive. I need not read the order perhaps.

1478. This appears to be only a repetition of what we have already had?—I will not quote the order, but will proceed with my statement. This order, in accordance it is believed with well-established precedent in all such cases, was prospective in its application, and was published by the Government of India on the 19th May 1855, notifying to the service that the limits of pension thus prescribed would be enforced as regards all uncovenanted servants appointed after that date. All officers therefore already in the service had, on the strength of these orders, every reason to expect that their pensions would be permanently regulated by the Rules of 1831, and the rights and expectations which the orders acknowledged continued to be maintained when the company's rule ceased, and the Indian Empire passed under the direct government of the Crown. The Government of India Act of 1858 effectually protected these rights of the uncovenanted service in common with rights appertaining to the other services. Notwithstanding this, the rights were finally withdrawn by Financial Department Notice, No. 2428, of 8th June 1863, and the orders of 1855 limiting pensions to a maximum of 500 *l.* were declared retrospective in their application. So far as I know this is the first order of the Government of India affecting the rights and interests of its servants which in its operation was declared to be retrospective. It affected not only the men whose claims had been reserved under the orders of 1855, but all the men in every Department who entered the service during the intervening eight years, namely, from 1855 to 1863. I need not go on with the rules if the Committee do not wish it. They have been quoted already in the general case. In the Despatch on the subject it was stated that, "The uncovenanted service, it seems to us, cannot claim to have any rights under the Rules of 1831 beyond what may be considered to arise out of the general pledge which those rules may be taken to give, that a member of that service when rendered incapable of further duty shall not be discharged without some pensionary support"; and, again, "we incline to think, notwithstanding the difficulty which is undoubtedly caused by the proceedings of 1855, that even now it will be better that the Government should assert its rights to alter the Rules of 1831 as regards all appointments clearly not embraced by the original intention of those rules, and to declare such alteration applicable to all uncovenanted servants whether they entered the public service before 1855 or since." The pension rules then issued gave effect to these views, and this may explain why they were made retrospective. No rights or claims had been left to reserve. It was in these rules for the first time that all service rendered before the age of 22 was declared not to count as pension service at all, and which has caused great hardship to a large number of men in every branch of the service. I will illustrate the effect of the new retrospective pension orders in my own case. On retirement I was entitled, to use the term employed in the Despatch itself, to a superannuation pension under the orders of the Court of Directors equal to half my salary, or 15,000 rupees a year. Instead of this I have secured, under rules which had no existence when I entered the service, but which have been applied to my case, an ordinary pension of 5,000 rupees a year, and 1,000 rupees in addition for services of extraordinary merit, altogether 6,000 rupees a year instead of 15,000 rupees a year. Taking then the rules as they stand, and apart for the moment from all question of old orders, the result is that in the whole range of uncovenanted appointments all over India in every branch of the State Administration, judicial, revenue, public works, police, and so on, a man may rise to be head of a department, deputy commissioner of a district, commissioner of a division, inspector general of police, chief engineer of a province, in fact to the most important and onerous office, and yet at the end of his career a pension of 500 *l.* is no longer attainable, for 5,000 rupees has until quite recently been about 330 *l.* a year. The men who rise to these exceptional positions must presumably, as in other professions, be men of exceptional energy, industry, resource, and capacity, but however high they rise a Secretary of State has ruled in 1864 that when an officer, being an uncovenanted servant, is promoted "to an office to which a salary exceeding 10,000 rupees per annum is attached, he is not to be granted an increased pension in consequence of the increase to his salary." Concessions may be made in individual cases to palliate the hardship, but I take the broad fact to be that the rules operate as stated to the detriment of the State, and the disheartenment of its servants. The higher an officer rises the heavier the fall on retirement, and every Department suffers from men clinging to the service till forced to leave under the 55 year rule. In my own case I memorialised the Government of India, but the Government of India regulated my pension according to the rules as they stand, giving me the highest pension the rules admit of. I have since memorialised the Secretary of State, but my memorial has been returned for submission through the Government of India, and this has been

Chairman—continued.

been done. I can read paragraphs from the memorial if you think it necessary.

1479. I do not think the Committee would care to hear it. We have heard all this over and over again?—The sole point raised therefore in mine and analogous cases is whether a Government is justified in issuing rules affecting the rights and interests of its servants with retrospective application, and especially whether this is justifiable when a pledge has been given that the rules in question shall not have retrospective effect. Personally, I should have had no ground for complaint if the Government had said, Looking at the whole circumstances of your service, and to the fact that you have held covenanted appointments for 29 years, we allow you the same pension as Government grants to a covenanted civilian after 25 years' service, namely 700 *l.* a year. But as it is, rules have been applied which in reality do not apply to the case at all. That is, in short, my case.

Sir *William Plowden.*

1480. What would these rules which have been changed with retrospective effect, have given you if you had retired under them?—15,000 rupees a year.

1481. It does not necessarily follow that you would have had that, does it?—The Despatch does not say so. I retired from the service after a period of over 37 years' service.

1482. Under medical certificate?—Under the 55 years' rule, which is practically the same thing.

1483. The original rules which came out after you entered the service, what pension would they have given you?—However that is applied (I have already read them) they amount to this: that the pension shall not exceed half salary.

1484. They would not have given you a pension at all, would they, unless the Government had consented to give you one?—It is exactly as you read this statement (this is the actual wording of it): "If the period of actual service shall have been 30 years or upwards, the amount of the pension shall not exceed one-half of the salary or authorized allowance of the individual." I would not pretend to interpret that in any way. That is the actual wording of it.

1485. But to obtain that you must have a medical certificate, must you not?—I retired under the superannuation pension. The part that refers to me is this, "We authorise you to grant to any uncovenanted servant belonging to a class recognized by the present rules" (those are the Rules of 1831), "who though not possessed of medical certificate of incapacity," of course the present rules entitle you to retire at 55.

1486. We must not mix up the old rules with the new rules. As I understand the rules, they are rules not absolutely entitling you take a pension, but giving to the Government the power to give you a pension?—Of course I was permitted to retire; the actual words used are: "May be permitted to retire." I should not have retired unless I had been permitted, in fact I should not have retired at all if it had not been that my eyesight was so much impaired that I might have been reduced to blindness if I had returned to India and joined my appointment again; otherwise I should not have retired from a position of 30,000 rupees to a pension of 5,000 rupees.

Sir *William Plowden*—continued.

1487. In the position you occupied originally in 1853, the Government were not bound to retain your services, were they?—Not at all, they might have dispensed with them.

1488. You were not in the position of a covenanted servant who had a claim to have his services retained?—Not at all. My services were retained, though they might have been dispensed with; I was retained in the service. The Government could have dispensed with my services no doubt if they had chosen to do so.

1489. If you had refused to accept the revised rules the Government could have dispensed with your services, could they not?—I have no doubt they could. I was deputy commissioner of a district when the rules came out.

1490. Whatever the position you held was they could have dispensed with your services, could they not?—It depends entirely on the interpretation you put upon that statement. As regards a servant who has served the Government for the length of time I have mentioned it is not usual for any Government to say, "we dispense with your services."

1491. I do not ask you what is usual, but what is the fact?—I can give you no opinion upon that; I know no case where an officer in Government service has been told, "we dispense with your services; we want you no longer."

Mr. *King.*

1492. As an absolute fact you never did accept the new rules, did you?—No, I did not accept the new rules of 1862–1864. I never accepted them. They would have injured my case.

1493. You never were given any option in the matter, were you?—No, no option at all.

1494. In all the Despatches of the Court of Directors and subsequently, it is admitted that for good and faithful service subsequently qualified as "services of extraordinary merit" you would have been entitled under the Rules of 1831 to half pension?—That is so.

1495. And in your case the Government have recognised "extraordinary merit" by giving you an extra thousand rupees a year?—Yes. I may say my case has not been finally disposed of. It is still under consideration of course by the Secretary of State; but so far as the rules apply the case is pertinent, because of course under the rules the Government of India could not give me more than 5,000 rupees pension.

1496. Surely it was not optional with the Court of Directors or with the Governor of India as to whether they would give the pension or not under the Rules of 1831, was it?—I should say not, looking at the rules.

Chairman.

1497. Surely that is a matter to be construed from the rules themselves, is it not?—Yes, from the rules themselves; an individual opinion of course is different altogether.

22 *July* 1890.

Mr. HERBERT E. WATSON, called in; and Examined.

Chairman.

1498. WHEN did you enter the service of the Government of India?—In 1864.

1499. In what capacity?—I was appointed to the Scinde Commission by the Government of Bombay.

1500. Was it by nomination or by competitive examination?—By nomination.

1501. Who nominated you?—I left England on the promise of an appointment in the Scinde Commission, and I was appointed under the rules then in force at the age of 18.

1502. I asked who nominated you?—The Commissioner in Scinde, Mr. Mansfield.

1503. Have you got anything to say upon the grievances of the uncovenanted civil servants which has not been said already?—I wish to point out the hardship of the present rules as they affect my case and one other case. I entered the service at the age of 18.

1504. Is there anything different in your case to that of the other cases which have been already so numerously laid before us?—No, except that I lost rather a longer period of service than is shown by anybody else.

1505. Instead of giving us the whole of your case would you point out to us in what particulars it differs from those which have been already laid before us?—Well, I lose much more service than anybody else who has given evidence, I think.

1506. On what ground?—I can only do it by stating my case. I will do it very briefly.

1507. Could not you tell us how you come to lose more service than any other witness who has appeared before us, without going through the whole case?—I lost four years before 22, and more by way of furlough.

1508. First of all, tell us about your loss before the age of 22, how came that about?—I entered the service at the age of 18; therefore I lose four years under the present rules.

1509. What functions were you fulfilling between the ages of 18 and 22?—For the greater portion of the time I was in administrative and magisterial charge of a division of district. I was performing the same duties exactly as I performed after the age of 22, when a man counts the service towards pension, and I was performing the same duties that other officers were performing who were counting their service towards pension.

1510. Now with regard to your furlough; you tell us that you have taken more furlough than other people?—I was obliged to take it on account of my health. I was sent home twice on medical certificate.

1511. How long altogether did you remain at home on medical certificate?—I was at home two years and three months on medical certificate, and the third time I came home on furlough because I was entitled to furlough, but I came home because I needed a change of climate. I was suffering very seriously from liver complaint I may mention.

1512. Then how much of your service altogether has not counted towards pension?—I have already lost seven years and three months out of a service of 25 years.

Chairman—continued.

1513. Is there any other point besides that in which your case differs from those we have heard?—I might have to serve altogether 37 years, and I think that has not been pointed out to the Committee. Service is ordinarily spoken of as being 30 years' service.

1514. Do you mean that, besides the loss of the four years before the age of 22, you may still have to serve 37 years?—Yes; and supposing four years furlough to be necessary to an officer, that would make eight years lost, and a man would have to serve 29 years besides before he could retire under superannuation rules, which would make a total service of 37 years altogether; and I wish to submit that leave, on a medical certificate that a man is obliged to take, should be allowed to count towards pension. It was allowed to count under former rules, and the Government of India have several times, in fact, recommended that a certain portion should be allowed to count again; and the privilege has been granted to some other officers in other Departments; Cooper's Hill men and others.

1515. You think that the same privilege should be extended to every European in the uncovenanted service?—Yes; European non-domiciled officers like myself; and if I might be allowed to do so, I should like to mention the case of another officer who was sent home sick.

1516. How did his case differ from your case?—My health failed generally from the climate, but his failed from hard work and exposure in connection with the floods that were threatening a military station. It was in a great measure owing to his exertions that the cantonments were saved, but the exposure resulted in his being sent home sick.

1517. What is the name of this officer?—Mr. Steel.

1518. Having lost his health by his zeal in the public service, the period when he was at home sick was not counted towards his service for pension?—No; it was counted against him. I can read the letter the Commissioner in Scinde wrote on the subject. He said "The Commissioner has received the report of Mr. Steel's failure of health with great regret, and especially to learn that it has been caused by exposure and hard work during the recent floods. It is a misfortune to the frontier districts that they should be deprived of so zealous and energetic an officer even for a time. Mr. Steel is permitted to proceed to Karachi to appear before a medical board."

Mr. *Barbour.*

1519. This case of Mr. Steel's seems a rather special one; is there any power in the officer commanding to deal with such a case, or to make representations upon the subject to get it out of the routine?—Mr. Steel's case?

1520. Yes?—No, I do not think so. He is bound by the rules; everybody is bound by the rules. I do not think anybody but the Secretary of State could alter them.

1521. Was

Chairman.

1521. Was any special application made to the Government in this case of Mr. Steel's?—No; I suppose he thought it would be no good; but I fancy there are a good many similar cases, and that a great many officers have to leave for home, indeed are sent home sick, like myself. I am now about to proceed to Marienbad to go through a course there. I may get cured or I may not.

1522. Do you know any case in which an officer has lost his health directly in the discharge of some extraordinary public duty, and has made any application for special treatment and been refused?—No, I do not. I fancy officers have thought that it would be no good. They are bound by the rules, and they have had to accept the rules.

Mr. *Howorth.*

1523. Have you, yourself, made any application?—No, I have made no special application. I have considered myself bound by the rules, and now I wish to point out the hardship of the rules in the hope that the Committee will recommend that they shall be altered.

1524. Is it the rules that you wish altering, or is it that you want to see the rules made more elastic in order to deal with individual cases of hardship?—No; I think the rules should be altered to allow a man's furlough to count, in all departments, as in the case of the Cooper's Hill men, the telegraph, the geological, and some other departments. I think the other uncovenanted departments, those that are officered by Europeans, should have the same privileges as the other people.

1525. You would not take your case as a normal case, would you?—Yes, I fancy there are a good many officers in my position who enter at the age I did, and who lose four years, and with furlough for four years they lose eight years' service.

1526. Apart from the entry before 22, the conditions have been not what you would consider to be normal; I mean to say you have a grievance in consequence of having to take more leave than the rules provide for?—I do not maintain that all leave should count as it did originally; but I think that a certain amount of leave should be allowed to count, particularly leave that is taken on medical certificate; a man is often sent home under medical certificate when he does not want to go home and cannot afford the expense of going.

1527. I want to know what you would define as being reasonable leave?—I think the same leave that is allowed to the Cooper's Hill men, to the telegraph, and to other officers who are Europeans like ourselves. We perform duties quite as important, or even more important. Officers in the Commission are engaged in the administration of the country and perform exactly the same duties as covenanted civilians do.

1528. Are many of your men domiciled in India?—None that I know of.

1529. They are all Europeans?—All Europeans. The Commissions consist of a mixture. There are covenanted men, uncovenanted men, and military men in civil employ. We all have the same rank and the same position whilst in the service, and it seems rather hard that we should

Mr. *Howorth*—continued.

have to serve so very much longer and get a very much smaller pension at the end of our service.

1530. Is your branch of the service one in which engineers under the age of 22 do not count their service towards pension before that age?—No; only those favoured Departments that I have mentioned, Cooper's Hill men, telegraph men, and geological men; they count their service before the age of 22. The men of the Commissions do not, and of a great many other Departments.

1531. How are the Woods and Forest Department in that respect?—The Forest Department men have had privileges given to them recently.

1532. With regard to service under 22?—Yes, with regard to service under 22. They count their time from the time they are appointed, and they also count a certain amount of furlough towards pension, and their period of service has been shortened like that of the others. They can get pension after 20 or 25 years' service, out of which two and three years respectively count towards service for pension; while I may have to serve 37 years. My work is certainly more important than the work they have to perform. I am European, just as they are.

1533. Suppose you had these favoured rules with regard to furlough yourself what would you count towards pension out of your furlough?—Out of my furlough three years.

1534. You suppose the other four years would not be counted?—No; I shall have had three years and three months' furlough, and three years would have counted. I have lost that service. I was on furlough on medical certificate. I am now going to Marienbad as I have mentioned.

Mr. *Alfred Pease.*

1535. Do you know of any case where through special exertion or exposure men have suffered in their health, and where special consideration has been shown?—No, I do not know of one case. I know of one case where an officer was paralysed, I believe, in the service of the Government, that was Mr. Price, who was in charge of the Karachi Harbour works a very long time, and did very good service there. I believe he was paralysed in the lower extremities from standing in the water a long time; and there was no special consideration shown him. In fact, he has given me a case complaining about his pension, which, I suppose, I am not allowed to produce. I shall be very glad to put it in if I may be allowed to do so.

Chairman.

1536. I think you may put it in?—It is really just the same as other officers who entered at the same time. I only mention that his was a particularly hard case because he was paralysed in the service of the Government. He was appointed in England to serve as civil engineer in East India at a salary of 600 *l.* per annum, and had the same covenant in which it was stated, "It is agreed that in all payments to be made under these presents the pounds sterling be considered equal to and calculated after the rate of 10 rupees."

1537. We

Chairman—continued.

1537. We have had that very often?—Yes, I say it is exactly the same case. I only mention that his case is a very hard one, because he was paralysed in the service of the Government.

Mr. *Bristowe.*

1538. You all suffer in health one way or the other, more or less, I suppose?—Officers who have healthy stations to go to in the Hills are as well off in India as they are in England; but I have had to serve in the hottest part of India, that is Scinde.

Sir *William Plowden.*

1539. Were you at Sukkur?—I was at Sukkur for years, and in that part of India.

Mr. WILLIAM ROGERS FISHER, B.A., called in; and Examined.

Chairman.

1540. DID you enter the service of the Government of India in 1869?—Yes.

1541. By competition?—Yes, in consequence of an advertisement in the "Times."

1542. In the India Forest Department?—Yes.

1543. What leave rules have you; the favourable rules or the other?—Yes, the favourable leave rules.

1544. The most favourable leave rules?—Yes, we have the most favourable leave rules.

1545. Have you anything to tell the Committee about the grievances of the Forest Department beyond what has been already said?—I wish to say that I was in Assam from 1872 till 1881; and during the time I was in Assam I had to live in malarious forests throughout the year. The forests were so extremely malarious that it was impossible to go there at certain months of the year at all.

1546. Your health broke down, did it?—Not on that occasion. Subsequently I have been in the North-West Provinces, and I have been a Divisional Forest Officer and Deputy Director of the Forest School of Dehra Dun, and also Conservator of Forests and Director of the Indian Forest School.

1547. Have you ever been home on furlough?—I have had no furlough until the present one.

1548. Then you have never been home on sick furlough?—No. Eventually after this service my health was so broken down by hard work and exposure that I only weighed about 10½ stone (I am now about 11 stone 10 lbs.), and I could not walk more than 200 yards. I had to live chiefly on milk and soup, and things of that sort. That was my first leave. It was the first furlough that I could afford to take after 16 years continuous service; and since coming home I have received about 400 *l.* a year furlough allowance.

1549. But you, being under the most favourable rules, could have taken sick furlough, and counted it towards pension?—The rate of exchange is so bad that one cannot live on the furlough pay one gets at home. We find it impossible to live on the furlough allowance we can get.

1550. That is hardly my question; you could have taken sick furlough and counted it towards pension?—Yes, I could have done so. We have very good rules for furlough; but I know numbers of men in India who stay out there until they are complete wrecks, because they cannot afford to come home on furlough. As long as a man is a bachelor, or has private means, he gets the furlough, but the moment a man is married he is obliged to stay in India. He can hardly get home unless he is ordered home by the doctor. I can go into details about that.

Chairman—continued.

1551. That has been very clearly put before us by many witnesses; I think the nature of the grievance is very well known to the Committee?—I find it impossible to live on my furlough allowance. I wish to go into detail as to men who went out with me and who knocked up in India from exposure.

1552. How do you trace that to the depreciation of the rupee or to the operation of the pension rules?—I wish to explain that we should have a better chance of coming home if we had sterling furlough allowances. We would knock up in this frightful way. That is what I want to explain. The furlough although is so bad that the men simply stay out in India and knock up or take the first opportunity that they can get of obtaining other employment; or they go to the colonies. They take employment elsewhere; for instance, Mr. Hutchins, who joined the Department with me in India, was obliged to leave on account of confirmed spleen complaint, and is now Conservator of Forests in South Africa on a 500 *l.* a year. Another, Mr. Johnston, has retired on medical certical certificate on a small pension. Another, Mr. Gavin, could not stand the exposure, threw up his appointment several years ago, and returned to Europe, where he was recently a clerk in a brewery at Nancy. He has given up all his prospects, which were fairly good.

1553. I think you need hardly give evidence of that kind to the Committee; it is quite clear that if the furlough pay is so bad, men will not take leave?—They cannot take leave.

1554. And they will leave their employment under those circumstances when they get the chance?—Out of the 12 men who went out with me to India, seven only are left; five are either dead or have left the service on account of the unfavourable rules.

1555. In how many years?—Sixteen years. I can give the details and the names of the men if you like.

1556. I do think you need trouble the Committee with that detail?—That leaves seven men out of the 12, now in work in India, and of them one or two are very nearly knocked up and will take the first opportunity of retiring.

1557. Your point is that the furlough pay should be at a higher rate, in order that men may

Mr. *Barbour*—continued.

may take furlough when they want it?—Yes, we want a fixed allowance so that one can really know what one is to get and make arrangements accordingly.

1558. What do you suggest?—If the rupee had remained at 2 *s.* I should get 600 *l.* a year allowance now. Instead of that, I get 400 *l.* Out of the 400 *l.*, 100 *l.* goes on family pension fund and insurance, leaving me 300 *l.* for the education of my children, for my own maintenance, and to paying passage back to India.

1559. You get 400 *l.*?—I get 400 *l.*; that is all I have been getting from the India Office as furlough allowance, instead of 600 *l.* which I would have been entitled to, and which was the amount I expected when I entered the Department.

1560. At what rate of exchange do you get your pay?—I have not received my pay for this year. I am speaking of last year. Last year it was 1 *s.* 4½ *d.* I got a cheque once in every quarter. They have deducted income tax, too. It is a few shillings under or over. I am not quite sure, but it is practically 100 *l.* a quarter.

1561. What income tax was deducted, Indian or English?—I suppose British income tax; the income tax was deducted. It really was 400 *l.* a year, and out of that I have to educate my children, and to pay the family pension fund and insurance, which is 100 *l.*; and it leaves me 300 *l.* a year for my own support and my children's education. It is perfectly insufficient, and my idea is that unless the Government gets men of private means into the Forest Department the thing will not go on. It cannot go on from what I have seen in India. I can give evidence about the work done by the Department in India, and the importance of it.

1562. I think you may assume that there is no doubt whatever about the excellence of the work done by these gentlemen. I do not know whether the Committee require evidence of that kind; besides, a Government could not excuse itself for paying an inadequate salary on the ground that the work was badly done; if it were badly done they would have to dismiss the men and get others. I do not know whether the Committee would care to hear evidence as to that; I think you may assume, generally, that the work done is admirable and the service excellent?—I can say about the requirements, that our requirements are equal, or very nearly equal to those of the Indian Civil Service, and that we have magisterial work to perform; we have to deal with the natives directly more, probably, than any other Department in India. We are living with natives in the forest eight months in the year, probably, as a rule, and dealing with them directly. We have to deal with constant petty disputes about the value of forest produce, about land, and questions of law, all of which we have to decide immediately in connection with the natives.

1563. To put it generally, what you say is, that your qualifications are not inferior to those of covenanted civilians, and your duties are of an equally responsible and important character?—Yes, I consider they are.

Mr. *Barbour*—continued.

1564. That is, putting it shortly, your case, is it not?—Yes.

1565. I do not think there is any doubt about that?—Then I wish to say something about the new favourable rules given to other Departments and given to Cooper's Hill, but which we had not received. Tell us what you have to say with regard to that?—The Cooper's Hill men can retire after 20 years' service.

1567. When you say the Cooper's Hill men, whom do you mean?—I mean the three Departments now at Cooper's Hill, the Engineers, the Telegraph, and the Forest Departments. The other two Departments can now retire after 20 years' service; but we must stay on for 30 unless we get a medical certificate. I say that in the cate of a Department where the men are proved to knock up so fast, as in our Department, to allow a broken down man to retire after 20 years' service would be equitable.

1568. Is that the only particular in which the other two Departments are more favourable than yours; just tell us the particulars in which the two Departments of Public Works and Telegraphs are different?—That is the principle one; also that their pensions are slightly enhanced; they have an enhancement of pension, I think 1,000 rupees is added to their pension, they have slightly better pension, and they can retire after 20 years' service without medical certificate. Those are the two points. It can easily be seen what the exact amount of the pensions is. I wish to say more; we do not compete directly with the other Cooper's Hill men. Somebody suggested to me. You have to compete with them, and you come out at the bottom of the list, and are therefore in a lower standard. But that is not the case, we do not compete with the Cooper's Hill men. We are appointed to the school after a separate examination, and we simply are trained together with them. We belong to the same institution but we do not compete with them. It is not a fact to say that we take a lower standard and must naturally submit to a lower postion in India.

1569. Is there anything else you want to say?—There is another point, that is, that the Government has lately established a forest school at Dehra Dun. This has been going on now practically since 1881. I was deputy director there, and director until I took my furlough; I was nearly 10 years director and deputy director, and I know all about the working of the school at Dehra Dun. The men who come to the school are natives of India; they are men of very high attainments; we get men there who have taken university degrees at the different Indian universities, and unless you send out men of equally high attaintments or superior attainments from Europe the discipline will be broken down; these men in the highest subordinate grades of the Department will consider themselves better or fully equal to the men who come from Europe; and you will have the whole Department disorganised unless you take care that the men who come out from Europe are men of the highest class, and the best men you can get; and I say under the present rules it is extremely doubtful whether you will get better men. I will prove that too if you will allow me. In my time we had

Mr. *Barbour*—continued.

had for 12 appointments 40 candidates. Last year only 24 men came forward for 12 vacancies; so that it is clear that the candidates for these appointments are falling off, and that this Department is losing in popularity; and this with the highly trained subordinate staff in India will do the greatest injury to the Department. I have very good reason to know this because I was so long at Dehra Dun. I have now accepted an appointment at Coopers' Hill as assistant professor of forestry for two years, because I think it better to have 500 *l.* sterling in England than to go back to India at 1,000 a month, with uncertain chances of promotion. To do that I should have to leave my family in Europe, and I could not afford to send them sufficient money home to maintain them. I have therefore now come to Coopers' Hill as an assistant professor.

Mr. *Buchanan.*

1570. When did these favourable rules come into operation for the Forest Department?—I am afraid I have not got the facts as to that.

1571. Was it subsequent to the time that you went out?—Yes, I think it was subsequent; it was subsequent.

1572. You really enjoy more favourable rules now with regard to leave and pension than you did before?—Not with regard to pension; only leave, the pension has not been affected.

1573. The favourable leave-rules?—The leave rules there are very good, but we cannot afford to take advantage of them.

1574. They are more favourable than the rules under which you took your appointment, are they not?—I did not know what rules were in vogue at the time. When I left Europe I did not know what rules were in vogue, but they are more favourable, I believe. I believe that they came out very shortly after I had gone out to India.

Mr. *Barbour.*

1575. Your main complaint seems to be about the insufficiency of the money allowed for the furlough allowance?—Yes, and the pension, of course. The pension is exactly the same.

1576. Yes, you have dealt with that; of course, the service have been agitating for a long time for the purpose of getting the value of the rupee raised; that is so, is it not?—Yes, if we got sterling allowances at home I think the position would be very good. Then the only point we want is to retire after 20 years' service without medical certificate.

1577. There is this, however; you have been working a good while in that direction and I am afraid that a favourable result does not appear to be very near; but would it not be far better to leave that point on one side entirely, and to raise the other; that your amount allowed is insufficient?—Yes, it is quite insufficient. I mean it is so insufficient that if a man can get any chance in the colonies, America, or elsewhere, everyone will go; they will not stay in the Government service. I am sure those men will not stay, and it is a pity to lose men of experience after 16 or 20 years, because those are probably the most useful men in the Department.

Mr. *Bristowe.*

1578. Have you heard that the rupee has gone up to 1 *s.* 7 *d.*?—I do not know that it is 1 *s.* 7 *d.* I have not heard of it.

Mr. *Bristowe*—continued.

1579. I suppose it went to 2 *s.* to the rupee?—If it went to 2 *s.* it would make an immense difference. It would make the difference between 600 *l.* and 400 *l.* to me.

1580. Has it been 400 *l.* this year or 500 *l.*—I have not seen the 500 *l.* yet. I have not the least idea what allowance I am going to get for this year. One gets the allowance every quarter; but what one wants is something fixed. You see, the men will not come home. They stay out in India to save, if possible, and they stay out there until they are simply ordered home by the doctor. I wish to say one more word, that is, that a number of superior Forest officers in India are already men who are appointed by examination in England, and I believe when the favourable rules were refused to the Forest Department which were given to the Engineers and to the Telegraph Departments, it was said that the Forest officers were such a small body that it was not worth considering their case; but as a matter of fact already half the number are men appointed in England by competition.

Mr. *Howorth.*

1581. I want to ask a question upon your last answer; is there any reason why, except that you are a small class, you should be treated differently to Cooper's Hill?—We are not trained together; we are trained at the same school, and there are numbers of men in the same position.

1582. Have not you a less difficult examination; are not the conditions very much more easy?—No; I do not know that they are. The conditions of the examination depend upon the number of candidates who go in for it. The examination is a very fair examination in science and mathematics. It is not at all an easy examination, and they are further handicapped by the very great cost of attending.

1583. Did I understand you to say that the number of candidates for admission to your branch of the Service is falling off?—Yes, it is falling off. I think it is in consequence of the hardships men have to undergo in India, and the known fact that they get such bad allowances on leave. Men are very careful now to inquire about the Departments before they go into them. In my time I thought one would be fairly treated, and did not make inquiries.

1584. I understand you to say that these positions to which you have referred are very unhealthy?—The whole of the forests are malarious I should say. If you go over a certain elevation, 4,000 feet, you get out of the malaria, but up to that point the whole of the forest is malarious, and every Forest officer is exposed to malaria.

1585. Where do you recruit your officers principally?—A great number of the subordinate officers are recruited in India. The Indian Government are keeping down the number of superior officers as much as they can. Only just barely a sufficient number are appointed as superior officers, the others are all recruited in India.

1586. Would you urge that the change of rules should apply to the large body of men who stay out in India, or to the superior officers only?—I think the rules should apply to the men appointed in England.

1587. The men appointed in England only?—Yes.

Mr. *Howorth*—continued.

Yes. I think they should also apply to European officers who have been appointed under the same terms not to the present set of men who are sent to Derha Dun School under special conditions. They are told distinctly they must domiciled natives of India, and are appointed under certain conditions. The former body of officers appointed to our Department in India was appointed in the same way that we are, and I think that whatever favourable rules are given should also have a retrospective effect for the men who have done the same work as ourselves in India, in the time when there was no trained forest officer. In the old days there were no trained forest officers, so the Government of India appointed the best men they could get in India, who were mostly Europeans and who have had to do the same work as ourselves. I say they should get the same rules that we do; but for the future the Government of India has taken steps to provide a native supply for the lower high appointments, and I say those men will of course get the rules that are intended for men of that class in India; but that should not apply to the men already in the service.

1588. What is the average number of men in your particular branch of the service that pass annually?—I am not quite certain; I think there are 10 or 12; it varies with the requirements of the Government of India. The Government of India communicate to the Government here how many men are required; and that number is appointed. I think it is about 10 or 12 every year, I am not quite certain.

1589. What proportion would that class bear to the class you do not wish to include?—We turn out from Derha Dun Forest School about 30 every year.

1590. So the proportion would be about 12 to 30?—Yes, about a third of the appointments of the Department would be held by men from England and two-thirds there I suppose.

1591. But are those who come from Derha Dun natives, or are they Englishmen?—They are natives of India. I think of about 80 students I should say that 20 are domiciled Europeans, and that 60 are natives; but they are all considered natives of India. There is no distinction made as to where their parents are domiciled. A student may be European, or of any class or of any parentage; but practically it comes to that. We have about 20 Europeans, and about 60 natives. They all rank as natives of India.

1592. Then you have no explanation to give as to the reason for enforcing the rule to retire after 20 years in the service as contrasted with the superior rules granted to the other branches, except that you are a very small number. Have you any other explanation to give at all as to why you should be treated differently?—I say we should be treated exactly the same.

1593. Have you any explanation as to why under the rules you are treated differently to the other two classes?—I have a paper in my pocket that may explain it to some extent; I will give you this; you will find it all there (*handing in the same*).

Mr. *King*.

1594. You speak on behalf of the Forest Department generally?—Yes.

1595. And do you speak also on behalf of those appointed in India?—Yes; I say that in the olden times up to 1881 the Government had no agency in India for training forest officers, and the number of men who came out from home were not sufficient; therefore they had always appointed men in India up to that time who were chiefly Europeans; and I say those men should also have the same rules as ourselves, they having done the same work under the same circumstances, but that in future this case will not arise as the Government have made special arrangements for supplying the men.

1596. Are you a very small class?—There are 169 forest officers I believe now in India, of the superior grades, the higher grades.

1597. The mortality is very high in the Forest Department, is it not?—Yes; I say that out of our 12 men, men who went out with me, two have died, and, I think, three have retired.

1598. In Burmah in 1880 the death-rate was seven per annum, was it not?—Yes; I know also of cases that occurred in the north west and the Punjaub in the 16 years I was there. One forest officer was knocked over a precipice by a bear; another one fell down while marking trees; a third one fell from his horse; and they were all killed on the spot, which shows the dangerous nature of the occupation. Two of those were trained forest officers, and one a gentleman in the army.

1599. What you really ask is to be put upon the same terms as the telegraph and the engineers?—Yes; and also to have the sterling, the pension, and the sterling home allowance.

1600. That is what they ask and what you ask, to be put upon the same terms?—Yes.

Mr. ALFRED STEWART BETTS, called in; and Examined.

Chairman.

1601. YOU are, I believe, an officer in the Telegraph Department?—In the Persian Gulf Telegraph Department.

1602. Superintendent in the Persian Gulf Telegraph Department?—Yes.

1603. Did you enter the service of the Government of India in 1863?—I entered in 1863.

1604. Under an agreement?—Under an agreement.

1605. Which you have put in?—Which I have put in.

Chairman—continued.

1606. And which I think is identical with the agreement of the gentleman who was examined on the last occasion?—No; I think not.

1607. What is the difference?—It differs in this: that it is in pounds sterling. It expressly stipulates that I shall be brought back to England, and that after 20 years I should be entitled to a pension.

1608. Is not that exactly what the other telegraph officer at the last sitting of the Committee pointed out to us?—No; I think not.

1609. Did

Chairman—continued.

1609. Did you hear his evidence? — No; I think the covenant is in rupees in that case.

1610. No; it was pointed out to us that it is in pounds sterling?—That his salary was mentioned in pounds sterling and not in rupees.

1611. Is the peculiarity of your case that you are employed in the whole of your service in the Persian Gulf?—The peculiarity is that the Persian Gulf Service is a unique service; it is entirely out of India, therefore it is an exceptional service, and I think that exceptional covenants were drawn up for the officers of the Persian Gulf, it being an exceptional service.

1612. You have put your covenant in?—Yes.

1613. I do not know whether you can point out to the Committee the strongest clauses in it?—No; but I have a few points that I can point out to the Committee.

1614. I mean, any peculiarity of your covenant?—Well, I think it is a special covenant, because it is for a special service. It is specially to serve in the Persian Gulf, and there is no other covenant to serve out of India. It is foreign service entirely. It is entirely out of India, but the covenant is to "assist in laying;" that is, we were special officers to assist in laying the cable and work the cable in foreign service; therefore, we really served in Turkey, Arabia, Persia, and away from India, or in countries where the rupee was not the coin of the country.

1615. Have you now retired from the service?—I have now retired from the service on half pay.

1616. On a pension?—On pension.

1617. Do you receive your pension in rupees at the official rates of exchange?—Yes; which I say again is a distinct contradiction to the covenant, which distinctly states "that in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of 10 rupees."

1618. Are you aware that if the Secretary of State is not paying you what he has agreed to pay you, you have a legal remedy?—How can I afford to go to law over such a matter; now I will read you a letter which was addressed to a former superintendent.

1619. You do not deny that you are aware that you have a legal remedy?—I have a legal remedy, but how can I act upon the legal remedy?

1620. You say your legal remedy is worthless to you?—It is, because I have no means to avail myself of it.

1621. You have no means to bring your action?—And as a fact I appealed under a petition of right, and it was not allowed.

1622. Have you ever taken advice?—I have taken the advice of several individuals. I have taken the advice of several barristers, who say that I have a legal claim.

1623. They say that you have a legal claim?—Yes, and the India Office referred me to Sir Horace Davey's opinion, which does not apply to my case at all, or to the officers of the Persian Gulf Telegraph Department, because Sir Horace Davey's opinion is founded upon rupee covenants, not upon pounds sterling covenants.

1624. Then your case differs from other cases, of which we have had a good many examples. You say that you are legally and lawfully entitled to a sterling pension?—I have the opinion of several friends, legal, to that effect. Of course, I cannot afford to test that opinion.

Chairman—continued.

1625. You do not complain of your covenant, or of your leave rules; you say that the covenant is not kept?—I say that the covenant is not kept.

1626. And that if the Secretary of State kept you covenant you would be perfectly satisfied—Just so, according to my interpretation. I am under the most favourable rules, although there are many officers of the service who are not. I will read a letter.

1627. Is this a letter addressed to yourself?—It is an answer addressed to one of the officers of the Persian Gulf Telegraph Department, on which I found to a very great extent my claim.

1628. Will you read the letter?—"17th August 1883.—I am directed by the Secretary of State for India to acknowledge the receipt of your letter of the 14th ultimo requesting that your pension recently granted you by the Government of India may be paid to you at the rate of 2 *s.* the rupee, that being the rate specified in your covenant of 5th September 1863, at which all payments were to be made. In reply, I am to point out that excluding the leave taken by you at different times, your qualifying service for pension has only been 16 years, six months, and four days. As, therefore, your service did not extend to the 20 years specified in your covenant as giving you a claim to pension, the payment made, on account of the pension now granted to you, does not come within the terms of the contract. In these circumstances the Secretary of State regrets that he is unable to comply with your request." That letter was sent to a former superintendent of the Persian Gulf Telegraph Department. It was accepted by me and by others as an assurance that if we did serve the 20 years our claim to the payment of our pension at par rate would not be disputed as a natural consequence. They give the reason for not paying it there; we naturally concluded that that being the reason, if we served the 20 years we should get it, and that no question would be raised.

Mr. *Buchanan.*

1629. Are there many in a similar position to yourself?—With this covenant I think there are seven officers left out of 70 that originally went out; because the Persian Gulf is a peculiarly unhealthy part of the world.

1630. Are there many of those at the present moment in the enjoyment of pensions?—Yes; and two of them are getting sterling pensions, two of those same officers with the same covenant as mine entering the service at the same time, are getting sterling pensions.

Chairman.

1631. Will you give the name of the two who are getting sterling pensions?—Mr. Courtney is one. I have a letter from the India Office in which they explain that Mr. Courtney is getting 150 *l.* a year under exceptional circumstances.

1632. Have you got the letter addressed to you

Chairman—continued.

you to explain the circumstances?—Yes, "under exceptional circumstances" it is mentioned.

1633. Have you got the letter?—Yes.

1634. Perhaps you will read it then?—I do not find it amongst my papers at the moment. It merely mentions that "under exceptional circumstances."

1635. Does it say what those exceptional circumstances are?—No. (*Letter appended by Witness*):—

India Office, Whitehall, 10 December 1889.

Sir,—I am directed to acknowledge the receipt of your letter dated the 30th ultimo, and to acquaint you that the Secretary of State for India in Council sees no grounds for departing from the decisions on your case, which has already been communicated to you.

I am at the same time to acquaint you that you are in error in supposing that "two officers of the Persian Gulf Telegraph are now drawing their pensions in pounds sterling at 2 *s.* the rupee," as the officers to whom you refer, Mr. Courtenay and Mr. Brasher, were not pensioned under the regulations in rupees, but were granted, under exceptional circumstances, sterling pensions of 150 *l.* and 400 *l.* per annum respectively. I am, &c.

A. J. Betts, Esq., (signed) *A. Godley.*
2, Caldervale Road, Clapham.

1636. Give me the name of the other officer?—Mr. Alfred Brasher.

1637. Those are two officers of your service under the same covenant as yourself, who, you say, are being paid sterling pensions?—Yes.

Mr. *Buchanan.*

1638. They are under the same covenant as yourself?—Under the same covenant as myself, and they went out at the same time as myself.

Mr. *Bristowe.*

1639. I see you state here that at the place where you were employed rupees were not the coin of the country?—No.

1640. But you do not take that to be a particular point, because you accepted the payment in rupees?—We accepted the payment in rupees, but as a fact we had to change them.

1641. Still, when you went out that was your agreement?—Yes; and in reference to my own pension I am told that I elected to draw my pension in England and having served in places not in India I do not see how I could otherwise draw my pension anywhere but in England. India was not the country to which I was engaged to serve, and my passage was provided by the agreement to come back to England. So it was a natural conclusion that it was meant that the pension was to be drawn in England.

Mr. *MacNeill.*

1642. Are not the services of those officers in the Persian Gulf Department generally sooner dispensed with than those of the ordinary uncovenanted civil servant?—No; a few of us have the benefit, only the first officers who joined the service in 1863, the pioneer officers, have the benefit of the advantageous rules. All other officers of the Persian Gulf have not the benefit of those rules, only the pioneer officers. We were specially trained officers: we attended a class in England before going out. I myself had been in the Royal Arsenal for three years, and under those circumstances we were granted the benefit of the new furlough and pension rules.

Mr. *MacNeill*—continued.

1643. But have not the Government dispensed with the services of those gentlemen prematurely?—Dispensed with the services of those gentlemen?

1644. Or some of them?—Yes; the services of those two officers, or one of those sterling pension officers, his services were dispensed with, because the Constantinople office was closed. The other officer, Mr. Brasher, has served his time, that is the 20 years, according to the term of his covenant; and, I think, since then the office has been abolished. That was the London office.

1645. Have the Government wished to recruit this service from the ranks of the uncovenanted civilians in India?—Yes; it is very difficult to get any Europeans to go out now. It is much more difficult than it was. You see the climate of the Gulf is exceptionally bad. There is one station, Mussendom, for instance, which after the third or fourth year was abandoned; and, again, the first officers of the service were under exceptional conditions, because we had two gunboats at one station to protect us, and we have always a guard of sepoys at two or three other stations.

Mr. *Howorth.*

1646. What number of men are in the same position as yourself?—I think seven. Of the 60 or 70 men (pioneer officers) who originally went out, I cannot find more than seven remaining, so that there is a very large number of men who have died.

1647. How many?—Of the 60 or 70 who went out in 1863, there are not above seven who are entitled to or working for pension. Some of the officers are now still working because they cannot retire; three or four have retired.

1648. Do you say this is entirely distinct from the Bombay Civil Service?—We are under the Bengal Uncovenanted Civil Service: but, as a matter of fact, we never served in Bengal. We are under the Imperial Government of Bengal.

1649. For promotion and everything else?—Yes. I got my maximum promotion in 1872, and since that date I have had no promotion, and after 15 years' on the same salary I retired in February 1887.

Mr. *Alfred Pease.*

1650. Was it expressly stated in your covenant that the pension was to be drawn in England?—There is a provision in the covenant that when I am in England I am actually to get so many pounds per month. That is in the covenant itself.

Mr. *King.*

1651. There is a provision in your covenant of which we have heard a good deal, as regards 1 *l* sterling being taken as 10 rupees, is there not?—Yes.

1652. And you received your pay at that rate in rupees?—Yes.

1653. Ten rupees to the pound?—Yes.

1654. And during at least one year of that period the exchange was above 2 *s.*?—Just so.

Mr. *MacNeill.*

1655. In 1864 it was 2 *s.* 1 *d.*, I think?—Yes.

22 *July* 1890.

Mr. LANGTON PRENDERGAST WALSH, called in; and Examined.

Chairman.

1656. WHERE have you lately been serving?—In North East Africa, as Assistant Political Resident, and Her Britannic Majesty's Vice Consul.

1657. What is the name of the place?—Zeila.

1658. When did you enter the service of the Government of India?—In 1873.

1659. In what Department?—The Marine Postal Service.

1660. By nomination or by competition?—By nomination.

1661. Who nominated you?—Mr. Macfarlane, the Postmaster General of Bombay. I want to say about the Marine Postal Service, that we have supplied officers to every department in India, including the Forest Department, the Police, the Customs, the Salt, the Scinde Commission; we have supplied, I think, every Department in India.

1662. Let me put it quite generally and shortly; your department has supplied officers to do the same kind of work in India that the convenanted servants do?—I do not know that; not necessarily so, but Marine Postal officers were serving with others in the Indian Seas. There was another uncovenanted service serving alongside us, the Indian Marine it is now called; it was then the Bombay Marine. The two have been amalgamated, and they are now, since the amalgamation, called the Indian Marine. These Indian Marine officers have been allowed to count for pension from the age of 19 years. We who belong to the Indian Marine Postal Service, serving in the same seas, have not been allowed to count service for pension from 19. We are still under the old rules.

Chairman—*continued.*

1663. You count pension from 22?—From 22.

1664. Is that your point?—That is my point. Another thing is that signallers in the Indian Telegraph Department engaged locally, as are postal officials (not the European officers trained in England), some of whom are half-castes, some European, some boys, some sons of soldiers, and others who have entered the Telegraph Department, count for pension from the age of 18. We who are under the Post Office have to count from 22, notwithstanding the fact that two uncovenanted Civil Services count from 19 and 18 respectively under recent regulations.

1665. What service counts from 19?—The Indian Marine. That is the new name of the Bombay Marine since its amalgamation with the Bengal Marine.

Mr. *MacNeill.*

1666. I suppose your service is peculiarly exposed?—Well; an Act of Parliament says that the place where I served is unhealthy. Officers serving under the British Government, on the same station with me, are allowed to count 18 months for 12 months' service, and I, because I happen to have gone to India in my youth, serve one year, and only count 12 months. The Act of Parliament, 39 & 40 Vict., c. 53, of the 11th August 1876, gives exceptional privileges to British consular officers, and should be extended to officers of the Indian Government, employed as consuls serving in Arabia, Africa, &c.

Mr. WILLIAM SMITH, called in; and Examined.

Chairman.

1667. YOU entered the service of the Government of India under a covenant, did you not?—I did.

1668. You have been a superintending engineer?—Yes.

1669. Is your point that you were retired in 1879 contrary to the provisions of your covenant?—Yes; may I present my covenant?

1670. Yes, let us have your covenant?—I have also some printed copies of my two memorials (*handing in the same*).

1671. Does that memorial contain a statement of your grievance?—It does.

1672. And the covenant is appended to it?—Yes, the covenant is appended to it; the covenant is Appendix A. to the first memorial.

1673. Then your second point is that the pension which was granted you is inadequate?—Yes.

1674. Your third point is that your pension, inadequate as it is, is paid in rupees, whereas it ought to be paid in sterling?—That is the point.

1675. And that is all explained in your memorials?—It is explained in my memorials.

Mr. *Howorth.*

1676. I should like to ask whether there are any other men in the same position as yourself?—I went out as one of six in 1855. We had all been employed under the Board of Works in Ireland.

1677. Are there any at the present moment remaining?—To my knowledge only one of the six besides myself.

1678. Were you a domiciled Englishman, or did you merely join in India; had you been born in India?—No; I went out under a covenant from this country.

Sir *William Plowden.*

1679. Under your covenant you are entitled to a pension to the extent of one-third your average salary after 20 years' service?—After 20 years' service.

1680. And one-half after a service of 30 years?—Yes.

1681. What was your average salary after a service of 30 years; you served 30 years, did not you?—No, I was prevented from doing so.

1682. How long did you serve?—I served actually

Sir *William Plowden*—continued.

actually 25 years, and I was then retired against my wish.

1683. What was your average salary?—For the last five years it was 1,600 rupees a month; 19,200 rupees a year.

1684. Then you would be entitled to about 6,000 odd rupees pension?—6,400 rupees was the pension given me, and they put it as a pension for 20 years' service. My point is that I served 25 years, and that I was on the way to serve my full period of 30 years, but the action of the Government of India prevented my completing it. My covenant states distinctly that I shall be retained in the service of the Government as long as I am able to perform my duties, and that I do not misconduct myself. There are two conditions; those conditions were fulfilled on my part, and notwithstanding I was retired against my will.

1685. Where is the stipulation that you shall be retained as long as you are able to perform your duties?—If you will turn to Appendix A., page 2, you will see it if you will look down to the words: "And this Indenture further witnesseth that in case and upon condition that the said William Smith, shall observe, perform and keep all the covenants, agreements, and provisions hereinbefore contained, and on his part to be observed, performed, and kept, they the said company shall and will retain him in their service in manner hereinbefore mentioned, if he shall be able to perform and shall actually perform such service."

1686. Why were you removed from the service?—Because I had attained the age of 55. That was the ostensible ground given. There is another point in that same page further down: "And it is also hereby declared and agreed that the said William Smith shall be entitled to admission to the benefits of the pension rules of the uncovenanted service" (that is the rules of 1831) "to the extent of one-third of his average salary after 20 years' service, and of one-half of the said average salary after a service of 30 years and upwards, subject in both cases to his being incapacitated by illness for further service." I was not incapacitated by illness. I was simply retired at the will of the Government of India, because, as they state in their Service Certificate Appendix B. (on the following page—page 4—of the Appendix): "Mr. W. Smith, late Superintending Engineer, Northern Circle, Bengal, has retired from the service of Government under the operation of Financial Resolution, No. 2,079 of the 31st July 1879, which, consequent on the necessity for curtailing expenditure on public works, ordered a large reduction in establishment and directed the retirement of civil officers who had attained the age of 55 years. Mr. Smith, having attained this age, is obliged to retire after a service under the Government of India of nearly 25 years, the greater portion of this service having been under the Government of Bengal." May I make one more quotation from this service certificate (the last paragraph), and then I have nothing more to

Sir *William Plowden*—continued.

say: "During his service of nearly 25 years Mr. Smith has devoted his best energies to the discharge of the duties with which he has been entrusted. His rapid promotion and the important offices which he has held sufficiently show how his services have been appreciated."

Mr. *MacNeill.*

1687. This is from the chief official of this Department; this is from Major General Cadell?—This is from the Secretary to the Government of Bengal, acting, of course, under the orders of the Government of India.

Sir *William Plowden.*

1688. You came under the rules; are you not aware that there is a stipulation in the rules that you cannot claim your pension as a matter of right?—I am not aware of that. On the contrary, my covenant distinctly states that I am entitled to one-third or one-half of my average salary, according to period of service.

1689. But your covenant refers you to the pension rules, does it not?—It refers to that extent, but there is an express condition in the covenant that I shall get one-third after 20 years, or one-half after 30 years; my contention is that I was not allowed to serve my 30 years and there is where the breach has occurred.

1690. Then you do claim under the pension rules of 1831, I understand?—I do.

1691. And if the pension rules of 1831 say you cannot claim pension as a matter of right, to that extent your claim would be damaged?—I am not aware of that. It is the first time I have ever been told so.

Mr. *King.*

1692. What I understand you to complain of is the retrospective action given to the rules in your case, the rule compelling officers to retire at 55 years of age?—That is so, precisely; the retrospective action that was given to that rule which I think was introduced in 1864. It was in 1864 that the Secretary of State sent a Despatch out directing that civil officers should be retired at 55.

Chairman.

1693. You argue that, having entered the service without the rule requiring you to retire at 55, the Government has no right to make such a rule?—They had no right in my case to apply it. They had a perfect right to make it, but no right to apply it in my case.

Mr. *MacNeill.*

1694. You say that it is an *ex post facto* application of the rule to your case that they have no right to make?—Yes; it is *ex post facto.*

1694.* In fact, the Government simply applied this rule to you because they wanted to curtail and diminish the staff of the Public Works Department?—I believe that to be the case.

22 *July* 1890.

Mr. HENRY PRINCE, called in; and Examined.

Chairman.

1695. Are you an engineer officer?—I am a civil engineer, and a member of the Institution of Civil Engineers.

1696. And did you go out to India under a covenant?—I did. Here is the covenant if you would like to see it.

1697. Is your covenant different from the other covenant?—It is an unusual covenant because I only went out to do certain specific work.

1698. Then will you put in your covenant?—Here is the covenant. (*Handing in the same.*)

Mr. *MacNeill.*

1699. Have you a copy?—I have not a copy, but I have the original.

Chairman.

1700. Having performed this special work for which you went out did you afterwards remain in the service?—I did not perform that work. It was shortly after the mutiny, and the Government were not prepared to go on with the work just then.

1701. Did you then enter the general service of the Indian Government?—I did after a great deal of discussion and persuasion. It was not my wish to enter, but I was persuaded to enter, and I did enter, because it was pointed out to me that by entering the Government of India's service I should be provided with permanent employment. This was fully arranged, that it was to be permanent employment, and I was also told that if I remained in the service, and did well (which I am sure I did), that I should eventually get a pension of 500 *l.* a year. I never heard anything about payment in rupees, or anything of that sort.

1702. Then what is your grievance?—My grievance is that I was retired after 20 years' service on what is really 280 *l.* a year. That is my grievance. My grievance also is that we civil engineers were very badly treated when the reduction in the department took place. A great number of civil engineers were pensioned off, while not a single Royal Engineer was pensioned off; and I think that a very unfair arrangement; and I think in my case that I was simply "done." I was persuaded to enter the service on a very low pay, on a pay not more than half what I could have obtained elsewhere, on the distinct understanding that I was to have permanent employment, and that I should be entitled to a pension of 500 *l.* a year in time. This is the letter which, after this discussion, appointed me to the general service of the department. You will see here that I am told that I am to be permanently employed.

1703. If it is not too long, we had better have it read?—Yes; I will read the letter. This is the letter of the Government of India from General Strachey. I have no doubt General Strachey can, if you call him, remember all this discussion.

Mr. *Barbour.*

1704. What is the date of the letter?—16th December 1858.

Mr. *Barbour*—continued.

1705. One thousand eight hundred and fifty-eight?—Yes, 1858. You will remember that this was before the Act of Parliament was promulgated by which our pensions, and all that kind of thing, were safeguarded: "I have to acknowledge your letters of the 7th October, 5th November, and 6th instant, and, in reply, I am directed to inform you that the Government of India are willing, in supersession of your present agreement, to engage your services permanently in the Department of Public Works, subject to the prescribed conditions as a second class assistant engineer, the salary of which is two hundred and fifty rupees (250) a month, on the understanding that after six months' service in India, if well reported of, you shall be promoted to the grade of first-class assistant, after which your advancement in the Department will be regulated according to the rules in force. An early reply to this proposal is requested."

Chairman.

1706. You accepted it?—I accepted that.

Mr. *MacNeill.*

1707. Was that under the Rules of 1831?—I understood that to mean the rules then existing.

Mr. *Buchanan.*

1708. Were you retired because you were 55 years of age?—No, I was not; I was only 49 years of age.

1709. Is your case the same then as that of the last gentleman; were you retired under this resolution?—I was retired at the same time as Mr. Smith, I suppose, because they wanted to reduce the Department. I never could understand why, because before I left the shores of India I saw five men promoted to my particular grade.

1710. When you were retired?—In 1879.

1711. And you got the pension that you were qualified for under the rules?—Yes, I did, which amounts to 280 *l.* a year at the present rate of exchange.

Mr. *Howorth.*

1712. Yours is the same as the other?—I think my grievance is the same as that of the others; that we are not treated in the same way as the Army and the Civil Service is treated. We are treated in quite a different manner. Our prospects and everything are treated in a sort of off-hand way, and our pensions are paid in rupees instead of in pounds. I consider, in my case, I was distinctly promised permanent employment.

1713. What is the entire service you had?—Twenty years' service.

Mr. *Alfred Pease.*

1714. Do you know whether the Department acted upon any particular principle when the gentlemen who were with you were forcibly retired, whether the standard of age was altered or anything of that kind?—No; I could not see any principle whatever.

Mr. HENRY BENEDICT MEDLICOTT, called in; and Examined.

Chairman.

1715. ARE you an officer of the Geological Survey Department?—Yes.

1716. Were you appointed in 1854?—Yes.

1717. Under a covenant?—Only a letter of appointment.

1718. I believe you are one of the very few officers who have survived the hardships of the Geological Survey?—The only one of that date, the only one who can claim the half pension.

1719. Are you the only one who has ever lived long enough to be paid the half pension?—Yes; to claim it at least.

1720. When did you retire?—In 1887. I got two and a-half years' extension of service.

1721. How long had you served?—Thirty-three years.

1722. What pension were you awarded?—An exceptional pension of 6,000 rupees.

1723. I believe you claim to be entitled to a pension of half your salary?—That is what I believe to be my right.

1724. What was your average salary for the last four years of your service?—With allowances, 2,520 *l.* 1,800 rupees a month was my fixed pay of the appointment and the allowances were 300 besides.

Mr. *Buchanan.*

1725. How much in all would that make in the year?—Two thousand five hundred and twenty pounds.

Mr. *Bristowe.*

1726. That is in rupees at 2 *s.*, is it not?—Yes, of course.

Mr. *Buchanan.*

1727. Your half salary pension would be about 12,000 rupees instead of 6,000?—Nine hundred a month. I have not the figures actually calculated. I did not come to advocate my particular case, but to speak on behalf of the Geological Department.

Mr. *King.*

1728. You state that you have come to speak for the Geological Survey as a Department?—Yes.

1729. Can you state quite briefly what are the rules of your Department as regards leave and furlough?—We enjoy all the benefits that have been given to the uncovenanted service except one or two.

1730. Which do not you enjoy?—That one which the Educational Department have, that a man who joins after 25 years gets three years to count to his pension. I tried several times to get that for the survey but failed.

1731. Yours is a very unhealthy service?—Dreadfully.

1732. The mortality in the Department has been very excessive, has it not?—Thirty-six per cent. of the men who have joined since the survey was started have died in the service.

Mr. *MacNeill.*

1733 From what date?—1846.

Mr. *King.*

1734. Will you explain to the Committee why it is so unhealthy a service?—Our work lies in the most jungly parts of the country, and we have to live in the jungle. In the plains we have nothing to do; there are no rocks there; we have to live in the most wild places for seven or eight months in the year.

1735. It is a fact, I believe, that no insurance company in Calcutta would accept the life of a member of the Geological Survey?—Yes, that was so for a period; they would not at any premium.

1736. You consider a shorter period than 30 years is essential?—It is peculiarly necessary in our service. If a man is not in vigour he cannot possibly do his work.

1737. Practically, it matters not to the Government how high a pension they give to a Geological Survey man, because in all probability he will not live to get it?—It looks something like it.

Mr. C. A. MARTIN, B.A., LL.D., called in; and Examined.

Chairman.

1738. ARE you a Fellow of the Calcutta University?—Yes.

1739. And you belong to the Education Department?—To the Education Department.

1740. How were you appointed?—I was appointed by nomination in India. I was nominated by the Director of Public Instruction, and the Government of Bengal appointed me.

1741. When were you appointed?—In 1864. I went out to the country on the promise of an appointment.

1742. And without any special covenant?—Without any special covenant beyond the rules and regulations of the service.

1743. Have you heard the evidence that has

Chairman—continued.

been given to the Committee?—I have, generally. I have been here on some of the days.

1744. Will you confine your evidence to new evidence which the Committee have not heard before?—I shall try to do so. In the first instance, I wish to refer the Committee to some correspondence on the subject of pensions to officers of the Education Department. My evidence, I wish to say, will be partly departmental and partly general, and I have some correspondence here (some four copies if I may put them in) which will enable the Committee to see for themselves how the matter stands. I had proposed to ask permission to read out certain passages from a memorial, contained in these pages, but I think I will save the time of the Committee

Chairman—continued.

mittee if I may be allowed to give, in a few words, the salient features contained in the memorial.

1745. This correspondence is a very long time ago, in the year 1872?—1867 the memorial is dated. I signed the memorial myself. You will find the memorial on pages 7 to 10 of the correspondence, but the chief features regarding it I think I may just mention in a few words.

1746. Was this memorial considered by the Secretary of State, and rejected?—It was considered by the Secretary of State.

1747. And rejected?—Yes.

1748. Do you think there is any advantage in appealing now, 18 years after, to this Committee against that; would it not be better to tell us what are the existing grievances of to-day which we could redress?—To refer to this would enable the Committee to see for themselves what was stated then with regard to the rules which had been withdrawn from the Education Department. It is to show that retrospective effect was given to rules that were newly introduced, and in a few words I think I can state the chief features. I propose to point out that the Secretary of State at one time said they would give exceptionally favourable treatment to the educational officers, but that that promise has never been fulfilled to the majority of those officers with regard to leave and pension. On paragraph 4 of this memorial, page 8, I think it is, it will be observed that when some favourable treatment in pension rules was given to the general body of uncovenanted officers by the Despatch of 1862, the case of educational officers was reserved for exceptionally favourable treatment. This exceptionally favourable treatment was made known on the publication of the Despatch from the Secretary of State of 1865, and it was found that the majority of officers, those who had joined the service before the age of 25, received no exceptionally favourable treatment whatsoever; but in the case of those who joined after having attained the age of 25, the limits of service were reduced by three years. Previous to this, the rule was one-third salary after 15 years' service, one half salary after 22 years' service (in each case not to exceed 500 *l.* a year) might be claimed. I do not say, properly speaking, might be claimed, because I suppose no officer has any "claim," it depends upon the Government whether they get a pension at all or not; but they are led to believe that they might have a claim to some pension. In the periods of 15 years and 22 years respectively, two years' leave of absence on medical certificate and six months' leave on private affairs for every six years was allowed to count towards pension; that is to say, to count as service by the new rules of 1862, which were then extended to the Education Department. By the Despatch of 1865 leave on medical certificate and private affairs ceased to count as service (it had counted before that), and the maximum of the first pension was reduced from 500 *l.* to 300 *l.*, and in some cases to 200 *l.*

Mr. *Alfred Pease.*

1749. That is in 15 years?—Yes; the two pensions are stated, one-third salary after 15 years, one-third salary, not exceeding 500 *l.*; the maximum of this pension was reduced from 500 *l.* to 300 *l.*, and in some cases to 200 *l.*; and further, a service of 25 years, without leave, instead of 22 years with leave, was required to qualify for the second pension. Those facts are stated in paragraph 7 of the memorial. Thus the periods of service were considerably extended, and the limits of pensions for the most part lowered. In a passage in the Pension Code, Article 450 (*c*) of the Civil Service Regulations, it is stated, "The concession (that is to retire under the former rules) applies only to counting service for pension; the *amount* of the pension must be calculated in accordance with the new rules." They granted a certain concession, they said, to apply to count service for pension But the *amount* of the pension must be taken under the new rules. I quote from the Civil Service Regulations because it is the latest edition of the codes that has been published. Then I wish also to refer to a passage, paragraphs 15 and 16 of the memorial (I am speaking for the Education Department I may say); there are certain arguments given why shorter service should be required from officers of the Education Department. It is stated there that several men of distinction have been deterred from entering the Indian Educational Department, and some, after entering, have abandoned it, by reason of the great length of service required of them before a pension can be obtained; and, on the other hand, men, however able, whilst practically cut off from the great centres of learning at home, and with mental and physical energies impaired by residence in a tropical climate, cannot keep pace with the continual advance of science; and thus they find their knowledge and methods grow antiquated during the 33 years which must elapse between the age of superannuation and that at which members of the home universities ordinarily graduate (I may say almost all of our Department are distinguished graduates of home universities), for which reasons it is expedient that the educational staff should be constantly recruited, as at Oxford and Cambridge, by young men of the highest distinction, fresh from the schools, and conversant with the latest improvements in scientific teaching. That this desirable object would be greatly promoted by a grant of pensions without medical certificate after an approved service of 25 years, a period sufficient to impair that physical strength which authorities like Dr. Arnold and Dr. Vaughan have declared to be necessary for a teacher of the young. I wish, if I might be allowed, to bring in a further point relative to sterling pensions which has not yet been heard by this Committee.

1750. Very well that is interesting to us?—I think it will be admitted as beyond cavil and dispute that when the memorialists asked for pensions in England they asked for pounds sterling as stated by them, and to prove that this also was intended by the Government of India, I beg leave to refer the Committee to the proposal made by that Government in the Financial Department No. 241 of 18th September 1868 to limit pensions to 600 *l.* per annum, in which Government remarked, "600 *l.* is the maximum pension granted to covenanted civil servants." They spoke of 600 *l.* as the maximum pension granted

Mr. *Alfred Pease*—continued.

granted to covenanted civil servants, and said, We propose that the uncovenanted officers shall get 600 *l.* also.

Mr. *Bristowe.*

1751. Where is this?—You will find it in the correspondence 241 on the 18th of September 1868, at page 11. They proposed to limit pensions to 600 *l.* per annum.

1752. This is a proposition from India, is it not?—This is a proposition from India to the Secretary of State.

1753. A proposition?—A proposition. That is, in 1868 they proposed the 600 *l.* per annum, which they say was given to the covenanted civil servants should also be given to the uncovenanted civil servants. It is clear therefore that it was the intention of the Government of India at that time, 1868, when they spoke of pounds sterling, to give pensions in pounds sterling. The proposal contained in this No. 241 was made at the request of the Secretary of State, contained in paragraphs 4 and 5, of Educational, No. 13 of the 2nd July 1868, which will be found on page 10. The Secretary of State therein asked the Government of India to make certain proposals, and further, in the proposals that were made there is a graduated scale entered, and in that graduated scale all pensions are mentioned in pounds sterling; and, as I stated before, those pounds sterling must have been intended to be pounds and not rupees—not in the equivalent in the way in which it has hitherto been claimed.

Chairman.

1754. Was it not the fact that at that time, and for very long after, the symbol of pounds sterling was used as the equivalent of 10 rupees in all the accounts?—I believe so.

1755. And in the Budget Statement?—And in the Budget Statement, certainly; but since there is the reference made to the pension that was granted to the Covenanted Civil Servants——

1756. I only ask whether it is not a fact that in 1868 and long after, the symbol £. was used as the equivalent of 10 rupees in the Budget Statement?—There was really very little difference between a pound and 10 rupees at that time. Then I also wish to point with reference to the claim that by the 500 *l.*, 5,000 rupees was intended. I wish to point to an analogous case in the leave rules which has not been referred to in the case. An officer on leave in India gets allowances not to exceed 8,000 rupees (it is mentioned in Section 346); but if on leave in England the allowances are not to exceed 800 *l.*; that is 800 *l.* are given in England, 8,000 rupees in India. This will be found in Section 346 of the Civil Service Regulations.

1757. Does this come to more than this (as has been said by many witnesses), that for a very great number of years the Government spoke of 10 rupees and the pound sterling as interchangeable and equivalent terms?—I am pointing out that in the case of leave they give the 800 *l.* limit and 8,000 rupees. They do not say 8,000 rupees at the current rate of exchange.

1758. No; but was not the fact at that time, as I have stated it?—This is at the present time; I mean at the present time in this new regulation.

Chairman—continued.

1759. That is of importance, if it is so?—It is at the present time; "If the leave of an officer"——There it is (*handing in a book*).

1760. Are not these leave rules that you call attention to those of the Covenanted Civil Service?—No; these are the European leave rules. I will give it you in the 6th edition; it is Section 59 of the Civil Leave Code, "Maximum leave allowances of the uncovenanted officer on ordinary furlough."

1761. "Maximum leave allowance for an ununcovenanted officer on ordinary furlough is, if paid at the home Treasury of the Government of India, 200 *l.* a quarter"?—That is 800 *l.* a year.

1762. "If paid in India, 666⅔ rupees a month"; there is no minimum?—That is 8,000 rupees in the one case, 800 *l.* in the other. There is one other point, and that is on the maximum question, the question of the grant of maximum pensions to officers. I have now been serving as an inspector of schools for 18 years, and all pension applications from my subordinates come before me in the first instance, and, subject to correction by the Accountant General, I may be said to decide those questions, questions of service for pension; and I cannot recollect a single instance of an officer, a native of India, well reported upon, who was granted a pension less than the maximum to which he could lay any claim.

Mr. *Bristowe.*

1763. I see in this recommendation to which you refer (this Paper, dated 1868), that, as you state, all the pensions are mentioned in pounds sterling?—Yes.

1764. Is not the pay also considered in the same ratio?—I see that that is so.

1765. What I want to know is, whether you do not claim also increased pay as well as increased pension; if you receive your pay in rupees you are receiving less than you expected, are you not?—No.

1766. You do not take that view?—My appointment letters always stated, "your pay will be so much in rupees."

1767. It does that?—It does make that statement; I see that.

1768. What I wanted to discover was, why, if you claim pension and furlough allowance in pounds, you do not also claim pay in pounds; you do not make that claim?—No, I do not make that claim. In the appointment letters it is always stated in rupees.

1769. In the appointment letters it is always stated in rupees?—Yes.

1770. It is a check upon this memorandum; that is all?—Yes, it is; the only point I make from that letter is, that the maximum pension of the covenanted civil servant, which there is no dispute with regard to, is in pounds sterling, and that pounds sterling must have been meant throughout in the letter.

1771. You did allude to this table as worked out in pounds, yet you do not claim increased pay in consequence of the depreciation of the rupee?—No.

Mr. *Howorth.*

1772. I want to have this clear; in that memorandum the pension of the covenanted servants

and

Mr. *Howorth*—continued.

and yours are put merely on the same footing, calculated at 600 *l.*; your contention is in the one case, the case of the covenanted service, that it has been interpreted as meaning sterling, and in your case as meaning rupees, without any actual definition?—Yes; they have so interpreted it. Our pensions are stated by the Secretary of State in pounds sterling; but by the Government of India as "500 *l.* or 5,000 rupees."

1773. But on the same form of words the Government of India have interpreted it in this way, that the 600 *l.* shall mean sterling in the case of one set of officials, and rupees in the case of the other?—Yes, so I take it.

1774. And you say in no single instance have you ever known less than the maximum pension to be given?—To a native never. In fact, I may say all my subordinates are natives, with one or two exceptions. When a native of India sends up his papers for pension, if he is well reported upon, that officer invariably gets the maximum pension.

Sir *William Plowden.*

1775. Do not you get maximum pension, too?—I do not know. I am not a pensioner.

1776. Do not the European members of your Education Department who go on pension get the maximum pension?—I cannot tell you; I do not know sufficiently well about what they do get; but I am quite aware of the fact that they get it in rupees at a rupee to 2 *s.*

1777. The only difference really is that the native gets his pay and pension in rupees, while the uncovenanted European officer gets his pension, or was to get his pension in pounds, and not in rupees. They are exactly on the same footing otherwise, are they not?—Except that I argue that when the Secretary of State stated 500 *l.*, it was interpreted by the Government of India as meaning not 500 *l.* but 5,000 rupees. I argue that the 500 *l.* was intended for the European officers, and the 5,000 rupees for the natives of India.

1778. But your argument now is that the native always gets the maximum pension, that the European officer does not always get the maximum pension, and the fact is that the difference simply is owing to the rate of exchange?—Owing to the rate of exchange.

Sir *William Plowden*—continued.

1779. If the native went to England and took the pension there, he would be in exactly the same position as the European, would he not?—A native does not go to England.

1780. If he went to England I say?—If he went to England he would, certainly.

Mr. *MacNeill.*

1781. I think you went out to India in 1863?—1864.

1782. At that time surely the rate of exchange was higher: 10 rupees were worth more than a pound sterling, was it not?—I believe at the market rate in some instances it was slightly under 2 *s.*, and at other times it was a little above.

1783. But whether the rupee was under or over the 2 *s.* the 10 rupees to the £. was the marketable rate of exchange?—The marketable rate and the official rate you may say practically.

1784. When the rupee was worth, as it has been, 2 *s.* 1 *d.* and 2 *s.* 1½ *d.*, the uncovenanted servants on going home never got more than the 2 *s.*, did they?—They never got more than the 2 *s.*, never.

1785. And your contention is that they ought not to get less than the 2 *s.* now?—They ought not to get less than the 2 *s.* now.

1786. They never got more when it was above 2 *s.*?—No. If I may be allowed to refer to this, No. 241 of 1868 of the Government of India again, in paragraph 2, it is stated (it is the letter in which the Government of India made these proposals), "Under the English Act a pension may rise to forty-sixtieths of the salary, and I believe the uncovenanted servants of the Government of India who perform all their service in this country are governed by this Act; under the English Act a pension may rise to forty-sixtieths of the salary of the retiring officer, and within this limit there is no absolute maximum sum fixed, however large may be such salary." I believe that the officers in the India Office, though uncovenanted servants, are governed by that rule. They perform all their service in this country, and we perform our service in India. I speak of these and I say that we are deserving of the same favourable treatment.

Mr. JOHN HENRY MERRIMAN, called in; and Examined.

Chairman.

1787. ARE you a commissioner of the Salt Department?—Deputy commissioner of the Salt and Abkari Department; it is better known in England as the Excise Department.

1788. When did you enter the service of the Government of India?—In 1868 in the Revenue Survey Department.

1789. By nomination or by competition?—By nomination.

1790. Where were you appointed?—In Madras.

1791. By whom?—By the Local Government.

1792. Have you heard the evidence that has been given before this Committee?—Yes; most of it.

1793. Can you tell us anything additional or anything supplementary to what has been said by the other witnesses?—Only that in my own case the appointments that I held in the Survey, and now hold in my present Department, have never been held by natives. On the other hand, they have been held by Royal Engineers, Staff Corps officers, and covenanted civilians.

Chairman—continued.

1794. That is to say, you have held the same kind of appointments as those held by covenanted civilians or staff officers?—Yes. My first appointment was obtained on the strength of a certificate which I obtained in England, a certificate of surveying. My present salary is 1,320 rupees, rising to 1,400 rupees. My appointment appears in the Table of Precedence, to which reference is made in the Case. It is one of those which gives certain social advantages.

1795. Then

Chairman—continued.

1795. Then may I take it generally that the officers of your department have the same grievances and desire the same remedies as officers of the other departments?—Exactly so; and I should like to add with regard to the Survey Department, that it has been spoken of by very good authority in Europe, if my memory serves me rightly, by the secretary of the Geographical Society, who has said that the work done by the Survey Department of the Madras Presidency compared favourably with anything of the kind that had been done in Europe.

Mr. *King.*

1796. Are the members of your service mostly appointed in India or from home; are they Secretary of State's men?—They are appointed in India.

1797. Therefore they are under the most unfavourable rules?—Under the most unfavourable rules. There is one other point I have missed. In my present appointment out of three deputy commissioners one is a covenanted civilian, another, who lately died, was under the more favourable leave rules; but I am not under the more favourable leave rules because I was not getting 6,000 rupees at a certain date.

Mr. *King*—continued.

1798. The Committee have heard that in February 1876 certain people drawing 6,000 rupees got the benefit of the new rules?—That is so. I did not. Although my pay is now double or three times that of some of those who got it then, I did not get it.

1799. You all follow the same position?—We all follow the same position.

1800. You are under the most unfavourable Indian leave rules?—Under the most unfavourable leave rules.

1801. Speaking for your service, you desire that they should be put at any rate on the European rules?—Most decidedly so.

Mr. PETER HORDERN, called in; and Examined.

Chairman.

1802. YOU are in the Education Department, are you not?—Yes.

1803. What is your present office, Director of Public Instruction in Burmah, is it not?—I am a pensioner at present.

1804. You have retired from the service?—I have retired.

1805. Did you come in under covenant?—I did.

1806. And retired on medical certificate?—I retired on medical certificate.

1807. Are you under the rules of 1855?—I entered under those rules.

1808. And do you consider that the rules of 1855 entitle you to pension at the rate of 2 *s.* to the rupee?—I contend that they led me to expect that I should receive it.

1809. Have you any other argument other than those which has been placed before us?—I think not. I think my two strongest points are, first, that the rules of 1855 led me to expect a sterling pension; secondly, that my covenant, which has been quoted in other cases, distinctly led me to the same understanding. I have the clause in which it says that all payments shall be at the rate of 10 rupees to the pound.

Mr. *MacNeill.*

1810. You were in India in 1861 and 1862?—In 1862 I joined.

1811. At that time the rupee was worth 2 *s.*?—Yes, slightly over 2 *s.*

1812. Your brethren and yourself, when they went home on pension or on leave, were only paid at the rate of 10 rupees to the £.?—Certainly; I should like to mention one grievance which I consider a very strong one. I think it has been mentioned, but I have not attended the whole Committee; that is, as to furlough not being allowed to count as service for pension.

Mr. *MacNeill*—continued.

Chairman.

1813. We have had that very well laid before us?—I have lost the value of six years. I have had six years' furlough, and not a day of it has been allowed to count. It has been lost through sick leave, and my pension has on this account been considerably reduced.

Mr. *King.*

1814. From sick leave on medical certificate?—Yes, on medical certificate.

1815. What is your length of service?—Twenty-six years.

1816. And out of that you have lost six years?—Six years have been furlough.

1817. Did you commence at the age of 22 or did you count before 22?—No, I was after 22, I was 25.

1818. Then that does not affect you?—It does not.

Mr. *MacNeill.*

1819. Is the rule prevalent in your branch which was mentioned, I think, by Mr. Barnes, that if a gentleman went home on furlough and only remained at home, say, for three months on furlough, his year was taken out?—I am not aware of that rule.

22 *July* 1890.

Mr. SAMUEL JAMES HARRISON, called in; and Examined.

Chairman.

1820. DID you enter the service of the Government of India in 1848?—Yes, on the 1st April 1848.

1821. By nomination?—By nomination, which was the only system in existence at that time; there was no such thing as competition.

1822. Have you now retired?—I have.

1823. When did you retire?—I retired in 1879 first of all, and I have got here a Report by the Accountant General on my case, part of which I beg leave to read.

1824. Do you want to bring an individual case before the Committee?—No, I want to show that retrospective effect has been given in my case to the rules.

1825. Retrospective effect has been given to the rules?—Yes, the Accountant General reported in this way on my case in 1879: "Memorandum from the Officiating Accountant General, No. P. 7582, dated 18th August 1879. Reporting that whether Mr. Harrison continues or not in his present appointment on reduced pay, he will be entitled to receive the same pension, not exceeding 5,000 rupees per annum, to which he was eligible on 1st July 1879, provided no adverse alteration in the rules of the Pension Code be made in the meanwhile."

1826. Did you ever take advantage of the new rules?—I did not take advantage of the new rules.

1827. But you took leave under them it is said, is it not?—I took leave under them because that was compulsory. You could only take leave under the new rules and not under the old.

1828. Were you then told that because you had taken leave under the new rules, and not under the old, therefore you came under them?—No, I was told first of all that a part of my past service could not count for pension, and that the Secretary of State's orders with regard to reckoning service under the old rules were intended to apply to invalid pensions only, and to no other sort of pension, and the Accountant General also reported that I had taken advantage of the new rules in taking half salary for 15 months instead of half salary for only 12 months. The old rules gave half salary for the first 12 months, and one-third salary for the remainder of the two years that you might take. The new rules only gave half salary for 15 months, and one-fourth salary for the remainder; so that if I had taken my two years' leave I could have drawn more under the old rules than under the new rules. Although I had taken only the above 15 months' leave in the whole course of my service of 39 years, the Bombay Government refused me six months' leave on private affairs at the end of my service because I was over 55 years of age, thus applying to me a new restriction, notwithstanding that I had applied for the leave under the rules. I might say here that I was the writer of that memorial which was sent to the Secretary of State in 1888, in case you wish to ask me any question about it.

1829. You sent in a memorial on your own account, did you?—No; I wrote the memorial signed by the late Mr. W. Clark and others, all East India Company's men. Although that memorial was written on the basis of the Act 21 & 22 Vict. c. 106, the reply which we got to that memorial does not allude to that Act in any way whatever. It merely refers us to a very late rule requiring meritorious service which we at that time had no opportunity of rendering. A former witness (Mr. Jenkins) has already referred to General Sir Richard Strachey's evidence, and to former pension codes about deferred pay being the contribution to pensions of uncovenanted servants. In addition may be mentioned Mr. E. F. Harrison's evidence (a high financial officer of the Government of India) before the Select Committee on Indian Finance in 1872, about the pay of uncovenanted servants being fixed on a reduced scale to provide for pensions, this being better than a deduction from higher pay.

Chairman—continued.

1830. Do you also call the attention of the Committee to a statement in paragraph 12 of the Government of India Resolution in the Public Works Department, No. 304, E.-G., of the 1st March 1870?—Yes.

1831. What is that?—"The principle involved is that Government salaries are fixed on such a scale as to render admissible a future contingent adjustment in the shape of pension, which is in truth only a deferred payment of salary." I had better read the evidence given before the Select Committee of the House of Commons in 1872.

1832. I think you had better refer us to it?—It is in answer to Questions 5959 to 5962; it is very short. The first question asked by Mr. Beach is this: "Is there any deduction from the pay in the form of a superannuation fund?—Not in the case of the ordinary service of the Government. (5960) Is there any other service?—There are special arrangements for the civil service in which there is a deduction made of 4 per cent. and retiring pay granted under special conditions. In the police, too, there was a system of making a regular deduction from the pay; that has been put a stop to, it is not the general condition. (5961) Was it found to be unsuccessful, was it found to be unpopular amongst those who were employed?—No, I am not aware that it was open to objection on that account, but it was thought a needless process of taking money on the one hand to confer a prospective benefit on the other, and that it was better to fix the rate of pay with reference to the prospective advantage of a pension than to complicate the matter by a deduction. (5962.) Was the pay reduced in consequence of there being no deduction?—Yes."

Mr. Howorth.

1833. I think I understand you to say that in your terms of service there was a proviso that in case the rules in regard to furlough and leave should be afterwards altered, that should be virtually included in your agreement?—No, there was no such proviso.

1834. You read out a proviso to that effect, I understood?—No; this is a late proviso by the Accountant General. That is from the new rules.

1835. You

Mr. *King.*

1835. You were under the Old East India Company; you were in their service?—Yes.

1836. Were you under covenant with them?—I was, inasmuch as I entered under the old rules.

1837. During the greater part of the time that you served, first the company and then the Government of India, the rupee was at 2 *s.*, or close upon 2 *s.*?—It was, or above 2 *s.*

1838. During that time you were paying your deferred pay?—Yes, all the time I was earning my pension.

1839. Which is now being repaid to you at the rate of 1 *s.* 5 *d.*?—At the rate of 1 *s.* 5 *d.*, yes. There is one point I would like to mention with regard to the expression, "not claimable as of right," which was used by the Court of Directors in 1854, when they sanctioned the half-pay pension, after 35 years' service without medical certificate.

Chairman.

1840. What do you wish to say about that?—I say about that that the same expression occurs in the leave rules of that period sanctioned by the Court; they say, "No leave of absence on private affairs shall be claimable by any party whatever under these rules as a matter of right." That made a distinction between leave on private affairs and sick leave; and it is exactly the same in the Order of 1854 with regard to pensions; no pensions could be claimed of right without medical certificate, but they could be claimed as a matter of right with the medical certificate.

Mr. *King.*

1841. It is in regard to a question put to one of the witnesses by Sir William Plowden that you wish to give that explanation, is it not?—Yes.

Thursday, 24*th July* 1890.

MEMBERS PRESENT:

Mr. Barbour.
Mr. Buchanan.
Sir John E. Gorst.
Mr. King.
Mr. MacNeill.
Mr. Alfred Pease.
Sir William Plowden.

THE RIGHT HONOURABLE SIR JOHN E. GORST, IN THE CHAIR.

Mr. T. HESKETH BIGGS, called in; and Examined.

Chairman.

1842. WHAT is your present position in the Government Service in India?—I am Comptroller, Burmah, and Commissioner of Paper Currency, Rangoon.

1843. I believe you have only just landed from India?—Yes, the day before yesterday.

1844. We have been having a long inquiry; have you yet had time to read the evidence which has been given?—No, indeed I have not.

1845. Will you then allow me to examine you upon one or two points which have not been already before the Committee?—Certainly.

1846. The first question I want to ask is, what are your views as to the identity of the basis on which the covenanted and uncovenanted pensions were originally paid?—Up to 1824 covenanted officers received no pension; but proposals were at that time made by the Bengal civilians to start an annuity fund to allow of eight or nine retirements upon life annuities of 7,000 rupees each; 4 per cent. was to be deducted from the salary of each officer, and they solicited a contribution from the Company, and also that the sums required in England should be issued by the Company at a favourable rate of exchange. In the Despatch to the Governor General in Council of the 8th December 1824 the Court of Directors state, "it seems obvious, therefore, that an annuity fund to be successful, must derive material assistance from the Company." I dare say you have this Despatch.

1847. We have had these Despatches referred to before?—Then it is only necessary for me to refer to paragraph 77; that is about the request to have a favourable rate of exchange. The Directors say, "Although we cannot acquiesce in this request, so far as respects the rate of exchange, yet, from a desire to meet the convenience of the retired servants, we have determined that every annuity, as it shall become due, be paid over by the managers of the fund to your Government, and issued to the annuitant, by the Company in England, at an exchange of 2 *s.*, the Sicca rupee." Then the covenanted officers had no legal claim to pension at 2 *s.* It was granted by the Court of Directors as an act of grace, and that continued up to the year 1874, when the annuity funds were taken over by Government, and the covenanted officers then obtained a legal claim to have their pensions paid in sterling.

Chairman—continued.

Mr. *Buchanan.*

1848. What date was that which you are now reading, please?—Eighth December 1824. The full particulars of the uncovenanted pensions are already in the hands of the Committee; therefore, I need only refer to the Despatch of the Court of Directors, No. 21, dated 28th February 1885. In paragraph 3 the Directors say, "You have also brought to our notice that the Pension Rules of 1831 appear to require some amendment, especially in regard to the cases of highly paid appointments of from 1,000 *l.* to 2,400 *l.* per annum, the occupants of which appointments, if invalided after 30 year's service are entitled, under the present rule, to receive half a pension varying from 500 *l.* to 1,200 *l.* per annum, whereas the covenanted servant after 25 years' service receives a pension from the Government of only 500 *l.* per annum in any case. In the above particular we concur in thinking the present rule to be defective, and we desire that a clause be introduced providing (as respects persons hereafter appointed to the service), that in no case shall a larger pension than 400 *l.* per annum be granted to uncovenanted servants receiving salaries of 700 to 1,000 rupees a month, nor a larger pension than 500 *l.* per annum to uncovenanted servants receiving salaries above that amount, whether the retirement be from ill-health (after either 20 or 30 years' service) or without a medical certificate after 35 years' service, under the authority conveyed in our Despatch of 5th May, 1854, No. 18." I think that that proves that the basis of the pensions is identical, and was so up to 1874.

Chairman.

1849. Do you think the present unsatisfactory state of the pension rules affects the efficiency of the service?—Yes, undoubtedly it does. I do not think the Government realise the loss of efficiency caused by the unrest and dissatisfaction caused by the present unsatisfactory state of our

Chairman—continued.

our pension rules. There is no one to represent uncovenanted officers on the Viceroy's or the Secretary of State's Council, and the Government is not in touch with them. It must be recollected that the bulk of the men of the uncovenanted service are men on salaries which are only just sufficient, as a rule, for them to live on, and perhaps for them to take an occasional furlough to England. The cost of the education of Indian children has increased, not decreased, of late years, and there is too often a sick wife to be sent home or to the hills, and men fall ill themselves. It is therefore, as a rule, impossible for an uncovenanted officer to save anything wherewith to supplement his pension, and he has only that to look forward to. With the uncertainty of exchange, and the gradual reduction in sterling value of his pension he has come to look forward to his retirement with a dread and anxiety, which must tell on his efficiency as a Government officer; he is moreover often compelled to stay on when he knows he ought not to, and is not fit to do his work, and the Government itself allows men to remain

Chairman—continued.

on after the age of 55, retarding promotion, when it is known they are not efficient; presumably because pensioning them means their having to retire on an inadequate pension.

1850. Have you prepared a draft set of leave and pension rules which you say would satisfy everybody?—Yes, I have.

1851. Will you put those in as part of your evidence then?—Yes. (*The same were handed in.*)

1852. These rules, you say, if passed, would satisfy everybody?—I think I am right in saying so. I have drawn them up myself, but I believe they would satisfy every one. They have satisfied every one that I have shown them to.

Mr. *King*.

1853. Between the year 1871 and the year 1874, at what rate were the uncovenanted servants paid their pensions; was it the official rate of exchange?—I believe so.

1854. And at what rate were the covenanted servants paid?—I cannot say, but I believe it was at 2 *s.* to the rupee.

Mr. Henry Alfred Greig, called in; and Examined.

Chairman.

1855. What is your position in the Government of India?—I have none.

1856. Are you now a retired officer?—No; I have been connected with India in a large way in mercantile affairs, and as a member of Lloyd's for the last 30 years. I retired from business about three years ago, and having no particular work on hand, I took up this question for the engineers.

1857. You are the secretary of their association?—Yes. The reason why I believe I appear is, that there was a great desire that Mr. O'Callaghan, who is the Doyen of the profession, should have come over, but he is in India; and from personal interviews with him, and letters almost weekly, extending over a period of nearly three years, I think I know his mind, and much of the evidence that he would give, if he had been called.

1858. Did you hear the statement which Mr. Read made to the Committee?—I did.

1859. Would you be kind enough to supplement that by anything you have to say, without going over the same ground again?—Yes, if you will allow me.

1860. Do you say that these gentlemen have been misled by the prospectuses?—Yes, misled. I have read the prospectuses, and should have been misled by them myself.

1861. In what particulars?—The inducements held out by the Government are, I should think, equivalent to an advertisement, when a house is going to be sold, that there should be no public-house, for instance, built opposite its front door. If the advertisement, asking people to bid for the house, included in that statement, the purchaser would have a right to claim that no public-house should be built there.

Chairman—continued.

1862. In what particular do you consider that inducements held out by the Secretary of State have not been fulfilled?—One of the inducements to the men to join first of all (as you have it in evidence from Mr. Grant Duff) was, that it was a service equal to the military and the covenanted services of India. The Secretaries of State who have been down year after year to Cooper's Hill, have been cognizant (which is the greatest point) of the enormous dissatisfaction, and yet have been silent upon the subject. A chairman of a company that issues prospectuses, who knows a thing as that, and does not mention it when he is praising up a certain scheme which he is interested in, would find his shareholders able to take proceedings against him.

1863. I asked you to tell me what are the particulars of the inducements held out that have not been fulfilled?—The men have been promised equality of emoluments, they doing the same work and performing the same duties as the Royal Engineers. I am obliged to mention the name of the Royal Engineers, though I should prefer not to make anything personal. On more than one occasion Mr. Cross was communicated with, and he acted for Lord Kimberly, who was the then Secretary of State.

1864. I only want you to give me the particulars of the promises which you say have been made, but not kept. You say that the men are not equal in emoluments with the Royal Engineers?—I say they were promised equality of emoluments with the Royal Engineers.

1865. Will you now tell me another particular?—May I give an instance of that?

1866. We have had a great deal of evidence of that kind already?—I have listened very attentively, and I have not heard it mentioned. For instance,

Chairman—continued.

instance, in the Public Works Department Establishment in the Central Provinces of India, Mr. Glass, a superintending engineer of the second class, has been 23 years in the service, and draws a salary of 1,350 rupees. Mr. Penny, a civil engineer of the second grade, who has been 15½ years in the service, draws 800; Mr. Morris Leslie, 14½ years in the service, draws 700; Mr. Leventhorpe, 12½ years in the service, draws 600. All these are civil engineers who have gone in under inducements, I maintain, that were held out to them, of equal emoluments, or have continued in the service on those promises and suggestions of the Secretary of State Mr. Palmer, who has been 11½ years in the service, draws 600 rupees a year, while the second man, who has only been in the department 11 years (Lieutenant Colonel Peters, R.E.), gets 1,544 rupees a month.

1867. Did you know that commissions in the Royal Engineers were offered last year to successful students at Cooper's Hill, and that they were declined by them?—Probably. People are foolish sometimes; or, unless I know the whole circumstances connected with it, I must say that I cannot say whether it was a wise thing or a foolish thing; but the great point I make is that the Secretaries of State have been silent; these Indian gentlemen and officials who have appeared at Cooper's Hill year after year have said nothing as to the dissatisfaction in the service.

1868. Do you put it that the Secretary of State intended to mislead them?—No; I say that it is misleading to keep such things back when making a speech congratulating the men on entering a splendid service, congratulating them upon the career open to them, knowing at the same time that every Secretary of State has been inundated with complaints and memorials asking for changes to be made in the treatment of the service, and asking for promises to be kept. Every Secretary of State, when he has entered office at the India Office here, has had to grapple with this question.

1869. But when the Secretary of State finds that the young men who are educated at Cooper's Hill and their parents and guardians are so foolish as to prefer the Civil Engineering Service of India to service in the Royal Engineers, may he not innocently, and without intention to mislead, make a little flourish and praise the service which the young men and their guardians so highly value?—I do not wish to be rude; but I should like to give one simple case like that, which has occurred only last year. I have here what I consider evidence of the ignorance of the students and of parents as to the state of affairs. I have received abundant evidence of the fact, which evidence I can put in as my answer, if I may be allowed to do so. I have received 500 or 600 letters in the last two or three years from civil engineers of all classes, and numerous letters from the parents of boys at Cooper's Hill. The burden of their letters was always the same: We sent our sons to Cooper's Hill owing to the advertisements in English newspapers, and the yearly speeches of the Secretaries or Under Secretaries of State on prize

Chairman—continued.

days. We were also aware of the Despatches of the Secretary of State which promised equality of emoluments, and in almost every instance the parents declared they would never have chosen the career through Cooper's Hill College, had they supposed their sons would have been placed in their present unsatisfactory position. The bitterness of the tone of these letters shows how keenly disappointed are the fathers of men who joined Cooper's Hill. Some complain, too, that nothing was altered by the Government in the yearly advertisements of Cooper's Hill, though they knew of the grievances which existed among the civil engineers.

1870. I do not think this Committee is appointed to sit upon the criminality of the Secretaries of State and the Under Secretaries of State; but rather to inquire what are the grievances which the uncovenanted officers complain of; would you come to that part of your evidence?—The parents who spoke to me about the men are, of course, the parents of young fellows, or boys under 21. In choosing this career for their sons the parents say that they were present, or that they did read these Cooper's Hill Prize Day speeches, in which not a word was ever said by those who spoke of the dissatisfaction that was existing in the service, and which has existed from the time of the Duke of Argyll down to now; had it been otherwise they would not have sent their sons there.

1871. You mention in the proof of your evidence that you would like to give a typical case, that of Mr. A. S. Ritchie; will you state the particulars of that case?—Yes; A typical case is that of Mr. A. S. Ritchie. His father was a colonel in the Royal Engineers. The son in 1874 passes into Woolwich, 19th place in 36 appointments, 120 candidates. His father died, and Mr. Ritchie's guardian says he made inquiries at the India Office as to Cooper's Hill, and was informed that that college was started especially to do away with the necessity of employing Royal Engineers for Public Works in India. Also a Cooper's Hill man was certain of Public Works Department employment, and a Royal Engineer was not. Also the Public Works Department was next best to the Civil Service in India. The guardian states that he paid several visits to the India Office before deciding as to removing Ritchie from Woolwich to Cooper's Hill. He wrote to Mrs. Macdonald Ritchie that her son would get 420 *l.* a year in three years, and promotion of at least 100 *l.* a year about every three years. In 12 or 14 years her son would be at least, executive engineer, 2nd grade, on 960 *l.* a year. The mother reluctantly consented to the change, her sympathies and desires were for her son to be in his father's corps or service; but the guardian's information from head-quarters caused her to yield. Mr. Ritchie is not, at the end of 16 years from 1874, 1st grade assistant engineer, and has never drawn the equivalent of 420 *l.* He met Captain Haines, R. A., in 1885, who got the vacancy Ritchie made by leaving Woolwich, and Captain Haines was drawing 625 rupees a month to Richie's 500. Last year he met Captain Lecky, who entered Woolwich in 1875, and was

Chairman—continued.

drawing 100 rupees a month more than Ritchie, and who is unable to take his furlough as the furlough allowance forbids it.

1872. You are acquainted with Indian banks, are you?—I am.

1873. Do you know how they pay their pensions?—I made inquiries as lately as yesterday, and find that they all pay the rupee at 2 *s.* to their clerks, managers, &c., and allow all family monies remitted through the bank to be paid to the wives and children. and schooling and all that sort of think, if it is a genuine family remittance, at the 2 *s.*

1874. Is that in consequence of any specific contract with their servants when they entered their service?—No.

Mr. *King.*

1875. Can you give a list of the banks which you went to to make your inquiries?—The Chartered Mercantile Bank is one. It is exactly the same, I was going to say, with the China banks. They give the 6 *s.* to the teal, or 4 *s.* 6 *d.*, every one of them. The Chartered Bank, the National Bank, the Hong Kong and Shanghai all pay the 2 *s.* to the rupee.

Mr. *King*—continued.

1876. The Chartered, the Mertcantile, and the Oriental?—Yes.

Mr. *Barbour.*

1877. Do you happen to know whether their arrangements with their clerks are made in sterling without reference to rupees or in rupees?—They are made in both.

1878. When you say they are made in both, do you mean to say that they make the contract with the clerk, giving him the option to take his pay in sterling, or at a fixed number of rupees (specified in the contract) at his option?—I do not think it is in the contract. I, of course, have not seen the contract, but the manager spoke to me and said they had done that.

1879. In a general way, I suppose?—No, not in a general way. I asked him the question, had they consulted their shareholders, because it is something like the case of a taxpayer whom we hear about; and he said no; they paid the full rupee; it was necessary to have all their employés quite satisfied, especially in banks. But all I meant in the remark I made a little time ago, that you probably took exception to, was that the concealment of all these particular points could only tend more or less to dissatisfaction in the service.

Mr. HENRY WATERFIELD, C.B., called in; and Examined.

Chairman.

1880-81. I BELIEVE you are the Secretary of the Financial Department of the India Office?—I am.

1882. Were the first pension rules those of 1819?—Yes, for Uncovenanted Civil Servants.

1883. Were they applicable to Europeans and natives alike?—They were. They were expressed to be so. To "uncovenanted assistants, clerks, or officers of any description, whether European or native, entertained or employed on the public establishments of Government."

1884. In the rules of 1831 were any distinctions of race made?—No; they were applicable to subordinate officers in the Civil Department, if they were in the superior classes.

1885. Can you tell us what is meant by "the superior classes"?—Roughly it may be taken as meaning those drawing pay at the rate of 10 rupees a month, or upwards.

1886. We have already heard that under these rules the retirement could take place on medical certificate only?—On medical certificate only.

1887. And that the maximum of pension fixed was one-third, between 20 and 30 years, and one-half for service exceeding 30 years?—It was.

1888. Were the rules of 1854 the first rules under which uncovenanted servants were granted pensions without medical certificate?—Yes; but I do not think it is quite correct to speak of the rules of 1854. It was a rule made in 1854, in addition to the rules of 1831.

1889. Has that rule been put in?—It is contained in the Despatch of the 5th May 1854, which has been put in.

Chairman—continued.

1890. Will you be good enough to read the rule, if you have got it?—It was authority to grant "to any uncovenanted servant belonging to a class recognised by the present rules, who, though not possessed of a medical certificate of incapacity, may be permitted to retire from the service, and who can produce unquestionable testimonials of a faithful and efficient discharge of his duties during a period of 35 years, a pension equal to half the average salary which he may have received during the last five years of his service. These pensions are to be regarded as the rewards of good service; they will not, in any case, be claimable as of right; and every pension which you may see sufficient reason to grant must be reported to us, with a statement of the grounds of your proceeding." That is, the same pension after 35 years' service as was permissible on medical certificate after 30 years.

1891. Are these pension rules applicable to both Europeans and natives?—Yes.

1892. Were they originally applied to Europeans who drew high salaries; the higher-salaried Europeans?—Nothing was said about it. At the time they were published there were scarcely any Europeans drawing high salaries; they were not excluded, but there is a Despatch of the Court of Directors in 1853, which shows that they had not contemplated the admission of officers drawing high salaries to pensions under the rules of 1831. It arose in the case of the Deputy Postmaster General of Calcutta, who was at the time in the receipt of a salary of 2,000 rupees a month. He asked for a pension, which was refused because he was not incapacitated

Chairman—continued.

tated for further employment; and the Court, in refusing it, said: "Nor can we indeed admit that those rules contemplated the grant of a pension on retirement to officers so highly remunerated as Mr. Bennett now is."

Mr. *MacNeill.*

1893. Did he get nothing at all?—I presume their meaning was that they would consider any such case specially, and that they did not intend the rules of 1831 to be applicable to such cases.

Chairman.

1894. Prior to 1864 were any pensions of uncovenanted servants paid in England?—Not unless specially sanctioned.

1895. Has a Return been made to the House of Commons of the few cases in which such special payment of pensions was given?—Yes.

1896. Is that the Return of 1889?—Yes, No. 171.

1897. Is it one of the documents that has been put in?—I have it here ready to hand in. (*The document was handed in.*)

1898. That is a Return of all the pensions granted to uncovenanted civil servants which were payable in England prior to the year 1864?—Yes.

Mr. *King.*

1899. But it is not strictly accurate, is it?—I shall be prepared to answer any questions as to its inaccuracy.

1900. I was not criticising it for the moment, but I think there was a mistake made about the date on which it was to be calculated, was there not?—No; the mistake you refer to is as to the date, "1864." We took that to mean before the 1st April 1864. Under a Despatch of 1862, the rupee pensions first came to be paid in England in the year 1864-5; and when that Return was asked for we took it to refer to pensions payable in England before the 1st April 1864.

Chairman.

1901. Did the suggestion for these rupee pensions to be payable in London come from the Government or from the uncovenanted civil servants?—From the uncovenanted civil servants.

1902. And was it granted as a favour, as a boon?—Certainly.

1903. What reason was given for desiring to have the pensions paid in London?—They wished to be relieved of the delay, risk, and inconvenience, of employing agents in India to draw their pensions and remit them to England.

1904. And the permission was given to draw their pensions in London?—Yes. Sir Charles Wood's Despatch of 1862 said he was willing to undertake the task of remitting the pensions, because "the charge to Government would be very inconsiderable;" and he insured that by providing that the pensions should be paid at the rate of exchange annually fixed in communication with the Lords of the Treasury for the adjustment of transactions between the British and Indian Exchequers. That is rather a long definition, and one which we usually shorten into the "official rate of exchange."

Chairman—continued.

1905. Will you tell the Committee when thi official rate of exchange was first instituted?—In 1824.

1906. How is it fixed or determined?—In December of each year a calculation is made at the India Office of the cost of sending a rupee to India based on the market price of silver in London, and of the cost of bringing a rupee from India based on the price of bills on London in Calcutta. A mean between the two is struck, and the nearest farthing thereto is taken as the adjusting rate for the coming official year, subject to its acceptance by the Treasury.

1907. Will you tell the Committee generally what payments are made upon that basis?—Repayments to the Indian Government of sums disbursed in India on account of the War Office or the Colonial Office, or any other part of Her Majesty's British Government; and payments made to the British Government in England of sums received in India on behalf of those offices. The rate is applied to all transactions between the two Governments, in which the one has acted as an agent for the other. It is also applied to the family and miscellaneous remittances, and to the payment of furlough pay and uncovenanted service pensions, being taken as the fairest rate that could be arrived at for the adjustment of the remittance transactions.

1908. Can you give the Committee any idea of the amount of transactions which are subject to this rate?—The aggregate amount in the last official year of the sums which we have to pay to the Treasury, and which they pay to us, and of the other remittances, was about 800,000 *l.*; I suppose, adding in the furlough pay and pensions, it may be put roughly at about 1,000,000 *l.* a year.

Mr. *Barbour.*

1909. Does that indicate the balance between the two?—No, not the balance between the two. That is the aggregate. The balance between the two would, of course, be much smaller. The net payments by the Secretary of State would, perhaps, be about 500,000 *l.* to 700,000 *l.* a year.

1910. Do I understand you to say that a million sterling covers all the payments that the Indian Government have to make in England, and all the payments made in India on account of the Home Government?—Yes, the two added together, with the other remittance transactions.

1911. Not more than a million sterling?—Perhaps I have not explained myself sufficiently. They are only the transactions or payments which are made by each Government as agent for the other Government.

Chairman.

1912. These are only the transactions between the two treasuries, and do not include the payments for the Army, and the payment of the guaranteed interest, or anything of that kind?—No

1913. Nor payments for stores, and so on?—No; they are the agency transactions that the two Governments effect for one another, and those which the Indian Government effects in England on behalf of Native States and local bodies in India.

Chairman—continued.

1914. It is the adjustment between the British Treasury and the Indian Treasury, is it not?—It is the adjustment between the British Treasury and the Indian Treasury. For instance, with regard to the emigration receipts, certain sums have to be paid in India, and, instead of their being actually sent through agents to that country, the Government supplies the emigration agents in India, and the India Office recovers the amount from the Crown Agents here, the adjustment being made at this official rate of exchange.

1915. For how long a period is the official rate of exchange fixed?—For one year.

1916. I will ask you this question generally. Has it in your experience been found a fair average rate of exchange?—Yes.

1917. Sometimes the commercial rate is above it, and sometimes the commercial rate is below it, is it not?—Yes; but I should prefer not taking the words "commercial rate."

1918. The market rate?—I should prefer to say the rate of exchange at which we are able to sell bills on India.

Mr. *MacNeill.*

1919. The commercial rate of course varies from day to day?—It varies from day to day. I have no notes of the commercial transactions, but I have notes of the weekly sales of bills on India.

Chairman.

1920. This official rate of exchange has proved in the long run to be a fair average, has it not?—Quite so. Shall I illustrate it by the figures?

1921. I wished to shorten it, but as these gentlemen ask questions upon it, perhaps you had better illustrate it?—I will take first the rates from 1837–38. I begin there because before that year the rates were based on the Sicca rupee, and it is not quite the same exchange; but, after the Company's rupee, which is the present one, came into existence, for the 26 years from 1837–38 to 1861–62, the official rate had in 11 years been below the rate of remittance and in 15 years above it. I have added up the totals for those years, and find that they were 49 *s.* 4 *d.* for the official rate, and 49 *s.* 0½ *d.* for the remitting rate, giving a difference of about one-half per cent. in favour of the official rate.

1922. Is the same rate applied to family remittances of military officers?—It is. That has been so since 1834.

1923. Now may I ask you whether the pensioners of the uncovenanted Civil Service are still at liberty to draw their pension in India if they please?—Yes.

1924. And can they remit it through the ordinary private channels?—Yes.

1925. Do you consider that the right to remit at the official rate of exchange has been on the whole a benefit to the pensioners?—Yes. Making a similar calculation for the time since they have had permission so to draw their pensions, I find that the totals for the 27 years, beginning with 1863–4, were 48 *s.* 1¾ *d.* for the official rate, and 46 *s.* 11¾ *d.* for the average remitting rate, showing the former to have been on the average about 2½ per cent. above the latter.

Mr. *Barbour.*

1926. That is to say, a public servant having the official rate gained 2½ per cent.?—Two and-a-half per cent. on the average of the years.

Mr. *MacNeill.*

1927. It is spread over an immense number of years, is it not?—Quite so; it is spread over the whole time. It is the average advantage that they have.

Chairman.

1928. In 1855 was it brought to the notice of Government that some of the uncovenanted officers were drawing larger salaries than had previously been customary?—Yes. They were gradually beginning to rise. Some had already risen, and the position of the service generally was rising.

1929. Was it pointed out in consequence that their half-pay pensions would amount to more than 500 *l.* or 5,000 rupees?—Yes.

1930. Was it in consequence of that that the Despatch of 28th February 1855 was sent out by the Court of Directors?—Yes.

1931. State shortly what that Despatch was?—In that Despatch it was laid down "(as respects persons hereafter to be appointed to the service), that in no case shall a larger pension than 400 *l.* per annum be granted to uncovenanted servants receiving salaries of 700 to 1,000 rupees a month, nor a larger pension than 500 *l.* per annum to uncovenanted servants receiving salaries above that amount."

1932. Was there shortly after a case (that of Mr. Elliot) which illustrates this point?—Yes. The case of Mr. Elliot is the only one on record which shows what the Court of Directors would have done under the circumstances of an officer drawing a very high salary who had been in the service before that Despatch of 1855.

1933. What was the case of Mr. Elliot?—Mr. Elliot was an officer of exceptional merit in Madras; he held two offices, those of chief magistrate and superintendent of police, and of first judge of the Court of Small Causes, in each of which he was at the time of his retirement drawing a salary of 1,500 rupees a month, or 18,000 rupees a year. The Madras Government recommended a pension equal to half the salary in either of his offices. The Court, recognising his great services, especially in reorganising the Madras Police, granted him a good service pension of 700 *l.* a year, which was rather less than one-fifth of his salary.

Mr. *Buchanan.*

1934. In what year was that? The date of that is 25th April 1855, about two months after the other Despatch had gone.

Chairman.

1935. Was a question raised in 1862 as to whether officers not already in the receipt of salaries of above 10,000 rupees a year should acquire a right to pensions in excess of 5,000?—Yes.

1936. What was the opinion of the Government

Chairman—continued.

ment upon that?—The opinion of all the authorities was uniform, that pensions in excess of 5,000 rupees would be outside the intention of the rules of 1831; but they were not agreed as to the best method of preventing the revenues from being burdened with a heavy pensionary charge which had never been intended. The Bombay Government proposed that each officer, on promotion, should formally resign his claim to a pension in excess of the limits. The Government of India did not like the appearance of recognising the claims; but proposed to concede the right to those who had already attained a high salary, and to refuse it only to those who were still in receipt of lower pay.

1937. What was the decision of the Secretary of State on that?—The Secretary of State observed——

1938. Was that in a Despatch?—Yes, in a Despatch of 8th December 1862. The Secretary of State observed that the rules gave no claim to the full half pay pension, and that they could not have contemplated pensions above 500 *l.*; so that, while still allowing that exceptional pensions might be permitted in cases of more than ordinary merit, he limited ordinary pensions to 500 *l.* a year, and determined that promotion after the 6th of August 1862, to a salary exceeding 10,000 rupees a year, should not carry with it a claim to an increased pension.

1939. Has the contention of the Secretary of State ever since been that the rules of 1831 did not give a claim to a half pay pension?—Yes.

1940. But that they fixed the half salary as the maximum limit above which the pension is not to go?—Quite so; not to give the increase to those appointed after 1855.

1941. And that interpretation of the rules, I believe, has been repeatedly acted upon?—Yes.

1942. With reference to the length of service required for pension, have you any remark to make upon that?—You mean the grievance that 30 years is too long, do you not?

1943. Yes?—I think the only point in relation to that is, what is a proper amount of service to exact from an officer who is in good health. If he is not in good health he can retire after 25 years with the full pension.

1944. Do you know any reason for the difference in that respect between covenanted and uncovenanted civil servants?—I think the two services are on a totally different footing in that respect. The covenanted civil servant enters into a covenant on his appointment, that he will subscribe 4 per cent. on his salary for a pension; he takes the chance of whether that 4 per cent. will buy the half annuity of 500 *l.* or not. If he should retire from the service without having held high appointments, he may not have subscribed for more than 300 *l.* or 400 *l.* a year. On the other hand, if he should serve long, and hold high appointments, he (as is the case frequently) may have subscribed the whole 1,000 *l.* a year; in that case he really gets no pension whatever from the Government. The whole thing is on a different footing from the case of an uncovenanted servant, who never pays a penny subscription towards his pension, but has a claim under the rules to retire after a certain period of service.

Chairman—continued.

1945. Now about the age at which service for pension begins to count. Was that originally fixed by the Court of Directors in 1856 at the age of 16?—It was, in 1856.

1946. Then I believe a change was made in 1861?—In the orders which resulted from the memorials of 1861. The orders contained in the Despatch of 1862 took effect in the rules published in June 1863. Under those orders, service before the age of 22 was not to be allowed to count for pension.

1947. Then was there an objection made to these new rules by Mr. Ferrand, an uncovenanted servant in Madras?—Yes.

1948. On the ground that he might lose under the new rules?—Yes; he was an officer who had been appointed at the age of 16½, so that he had 5½ years' service before he was 22; he had also had some leave, which under the rules of 1863 could not reckon for pension; consequently he feared that the rules for pensions which were then introduced would be very detrimental to him.

1949. In answer to Mr. Ferrand, did the Secretary of State assert any right to make *ex post facto* rules which would injure him?—The Secretary of State said that the general tendency of the new rules was to improve the position of the officers; but that, in any case of an exceptional character, the officers were to be allowed the option of the old or the new rules. The only difficulty that arose was that the leave rules were to be coupled with the pension rules, and an officer who had received benefits under the leave rules of 1863 beyond those permissible under the former leave rules, was not also to have the benefits of the old Pension Rules.

1950. It is a fact, is it not, that telegraph signallers count their service for pension from 18?—Yes; that has been given I believe on very special grounds. It was found that a telegraph signaller was not able to perform the duties of his office, the niceties of signalling, after a certain amount of service; and in order that the Government might be in a position to superannuate him without turning him adrift after a very small service, they allowed him to count from the age of 18.

1951. Are you able to say why the particular age of 22 has been fixed?—I think it was taken as being approximately the age at which a European officer sent out from England would become effective. At that time the candidates were taken from the age of 18 to 27, and they would have to spend a year or more in England before going to India.

Mr. MacNeill.

1952. The covenanted officers, do you mean?—The covenanted officers; and I think it was supposed (approximately) that they would become effective at the age of 22; but I am not able to find anything laid down distinctly as a ground for the application of this age to uncovenanted officers.

Chairman.

1953. With regard to the furlough counting as pension, was it a fact that before 1863 a certain amount of furlough did count as pensionable

Chairman—continued.

service?—Yes; two years on sick-leave and two leaves of six months (making altogether one year) on private affairs, were allowed to reckon towards pension.

1954. Is furlough allowed to reckon as pensionable service in the case of some of the departments?—It has been since 1876.

1955. Are those the civil engineers?—Civil engineers selected in England.

1956. And specially educated officers of the Forest Department?—Yes, and also the Geological Survey Department; certain officers in the Madras Agricultural Department; and since that time it has been extended generally to all civil engineers with an English training. I am not quite sure whether they have the full extent of the rules; but they have certainly four years in 30 years' service.

1957. Has it always been the principle of the Government of India that the whole local service should have the same rules?—That has been the principle.

1958. And that no distinction should be made between Europeans and natives?—Yes; but instead of "the Government of India," I should prefer saying, the Secretary of State for India, because the Government of India have, in frequent Despatches, urged that a difference should be made.

1959. What do you mean by the "local service" in India?—European and native officers appointed in India by the local governments.

1960. Do you mean only those appointed in India by the local governments?—I am using the term "local service" for the officers appointed in India, as distinct from those appointed by the Secretary of State and sent out. You were, I presume, putting the question with reference to the furlough rules.

1961. Yes, I was putting the question with reference to the furlough rules. Can you tell the Committee how this difference between the treatment of Europeans appointed in India and Europeans appointed in England has grown up?—It has arisen from the strong feeling expressed by Parliament and carried out by the Secretaries of State, that the officers appointed to the higher grades should be selected usually by competitive examination, but at any rate selected in England so as to insure their having received a high training; and the Despatches of the Secretaries of State on the subject have been very distinct, with a view to preventing anything approaching jobbery, by the local governments appointing officers on the spot who had not gone through such a training as was requisite. I have some Despatches here which show very strong views held by the Secretaries of State at different times on the subject. I think Sir Stafford Northcote's Despatch of 15 May 1868, is the clearest perhaps I can first refer to. The question which arose was, whether different furlough rules might be admitted for Europeans and for natives, and Sir Stafford Northcote wrote, "You are already aware of the views of Her Majesty's Government as to the policy to be adopted in admitting the natives of India to higher posts under Government, and the uncovenanted service evidently offers the most ready access to them. I am of opinion, therefore, that any rules which may be adoped for leave of absence and furlough to uncovenanted servants should be framed with general reference to this consideration The principle which I consider should guide you is, that there should not be different rules of leave of absence for persons of different nationalities holding similar offices, but that the rules for each class of appointments should be uniform. Different rules, may, however, be properly adopted for different branches of the uncovenanted service. There are some classes of appointments, the holders of which are in a position very nearly analogous to that of the covenanted civilian, and for which special arrangements should be made. Such, for instance, may be some of the appointments in the engineering and in the educational service. Generally speaking, I am of opinion that the rules for those branches of the service to which it is possible to appoint a considerable proportion of natives, should be framed with a view to the circumstances of natives rather than of Europeans. The observance of this principle will render it necessary carefully to restrict the cases in which long absences can be permitted with retention of appointment." Then, as the result of that Despatch, the Government of India prepared rules which were to be applicable for the furlough of the different classes of officers; but they found very great difficulty in determining which grades were to come under that special provision which was allowed for the education service and similar offices; and it resulted at last in the Secretary of State saying that they must draw up a schedule of grades of departments, to which the rules should be applicable in the future, and that he would admit to the benefits other officers then in the service if the Government of India recommended them by name. Again, the Government of India said it was very invidious to specify the names of officers who should have the better rules, and they tried (if possible) to avoid sending home such lists; but, in December 1871, the Secretary of State said he approved of the rules generally, and he must have the nominal lists prepared for the officers who were to be admitted. Those rules were published on the 3rd January 1872, and that gives the date from which any officer who was then in the service was eligible for the better rules. The lists were then sent home gradually, and approved by the Secretary of State; but there was so much difficulty in settling whether this or that officer ought to have the benefits, that he cut the knot at last by saying, I will admit any one who is now drawing a salary of 500 rupees a month. That was in 1876; consequently the officers who have the better rules are those who were in the service in 1872, provided that in 1876 they had a salary of 500 rupees a month. Those Despatches and that list then formed the ground of the concession of the better furlough rules to certain officers, even though appointed by the local governments; but from that time the Secretary of State has laid down the rule, that unless his sanction is specially sought he will not admit any officer appointed in India to the better rules. That is in accordance with that Despatch, and it confirms what I was saying

Chairman—continued.

saying about the objection to local appointments being made in India to the higher grades of the departments.

1962. Now, those who do not have these more favourable leave rules are granted leave in the same way that the natives of India would be granted leave, are they not?—They are. I was going to refer after that to a Despatch of 1880, which shows that the same view has been maintained. This is a Despatch of Lord Hartington. It is rather a long extract to read, but I believe it will make clear to the Committee why this rule is maintained of not allowing the officers appointed by the local governments in India to receive the better rules. It is a Despatch of the 14th October 1880. "It has been thought by Her Majesty's Government in a high degree expedient, for political and financial reasons, of which your Excellency will readily apprehend the importance, to employ, as far as possible, the services of qualified natives of India in the civil administration of their country, even though in some instances, and in the earlier stages of the undertaking, such services may appear not so certainly efficient or satisfactory as the services of English candidates for office. Actual experience has shown that, where Englishmen compete before their own countrymen with natives of India for official patronage, they are apt to prevail in the competition more generally than is consistent, not perhaps always with their relative fitness, but certainly with the possibility of such a complete adoption as could be wished of the policy of preferring competent natives. It is most true, as your Excellency represents, that of the sons of civil and military officers, for whom their parents have found a difficulty in providing, there is always in India an abundant supply, incessantly solicitous for patronage, sometimes very fit for it, and usually very powerfully backed and recommended, whether fit or not. To these local claimants are not unfrequently added others as pressing, and as difficult to set aside, but recommended chiefly by personal and sometimes by political interest, such as can never be entirely excluded, and is sometimes difficult to resist. The result, in practice, has been that, with the best intentions, the dispensers of local patronage find themselves liable to be turned aside from the duties they had prescribed to themselves, and thus the strict observance of the declared policy is often impaired and obstructed. It was to remove more completely the obstacles which had been shown to exist to the complete application of this policy, and thus to assist the local governments in this, not the easiest part of their duties, that Her Majesty's Government thought it advisable to insist, in appointments to the higher offices in the uncovenanted service, on the observance of the principle above mentioned, and to extend it to all offices of that class carrying a salary higher than 200 rupees a month, with certain specified exceptions. There are doubtless, as your Excellency remarks, occasions where the strictness of this rule may properly be waived, in consideration of special circumstances. But these are provided for by the opportunity given for reference, in exceptional cases, to the Secretary of State in Council, so that on this head no difficulty need occur. I may add that, antecedently altogether to any policy of employing natives in preference to Europeans, and quite independently of that policy, it had been a long-established constitutional maxim of Anglo-Indian government to discourage and prevent the initial selection of Europeans by the Governments in India for admission into the more important offices in their service, reserving that selection always for the authorities in England, but leaving the location, distribution, and promotion of such Europeans, when once admitted into the service, to the entire discretion of the local governments. It is an historical fact that the observance of this wholesome rule has, more than anything else, conduced to the purity of Indian patronage, and to its general freedom from party and political bias. It is my opinion, and I do not doubt it will be also that of your Excellency in Council, that this valuable principle should be applied as widely as possible."

1963. We have had our attention drawn to a considerable number of covenants entered into by the Secretary of State with various classes of servants on their engagement. Are those covenants usually made for a limited time?—Almost always for a specified time.

1964. And is there generally a condition that if they remain in the service after the expiration of the covenant they become subject to the general rules of the uncovenanted service?—Yes.

1965. Will you explain what you mean by that?—They covenant to render fidelity during the period of their service, and it is provided that if retained after the expiration of their contract they shall be considered as in the Public Works or Telegraph Department, or whatever Department it may be, and that they shall have the benefit of the leave and furlough rules of that Department; or, if it is an educational contract, of the uncovenanted service generally. You ask me about the period of the covenants. They are usually for a period of five or ten years. There have been some instances of 20 years, and there are some in which no period is specified, and six months' notice may be given of termination.

1966. Under those covenants are payments frequently made in sterling?—The covenants are of two kinds, some specifying the payment of salary in rupees, some specifying the payment of salary in sterling, and providing that in payments under that contract one pound shall be taken as equal to 10 rupees. There are other payments which are provided for, such as a fine. An officer who received a grant of his passage money, and after arriving in India failed to fulfil his contract, was under engagement to refund a certain sum which was to be deducted from the salary payable to him in India. The exchange clause would show the amount of rupees that were to be deducted in respect of the 150 *l.*, or whatever it might be that had been paid. There are many cases in which advances of salary, though not expressly provided for by the contract, are made in England, particularly to mechanics and artizans. Advances of salaries are made in sterling, and they are recoverable in

Chairman—continued.

in India. The exchange clause settles what the amount is that shall be recovered. In each case for every pound paid in England 10 rupees are to be recovered in India.

1967. I need hardly ask you, but in the interpretation of the terms of those covenants, does the Secretary of State alway act under legal advice?—Yes.

1968. And in many cases have sterling payments been made on the application of officers, where there has been some doubt as to the true construction of the covenant?—They have; in my opinion not always what was really intended in the spirit of the contract, but the Secretary State has never disputed the payment, if he was advised that according to some reading of the contract it might be construed to the benefit of the officer.

1969. One of the cases brought before us is that of Mr. Peterson; Mr. Peterson was not himself a witness, but his was a case mentioned by one of the witnesses; what have you to say about that?—It was a case mentioned by Mr. Jenkins, I think. It is referred to in the case, and I think Mr. Jenkins mentioned it.

1970. What have you to say about Mr. Peterson's case?—Mr. Peterson was one of five officers who were selected for the Educational Department on the recommendation of the Government of Bombay. The Bombay Government specified the salary of those officers in sterling, and, by inadvertence in the India Office, the letters proposing to these officers that they should accept an appointment specified the salary in sterling. It was the custom always to specify it in rupees, but in those five cases a sterling sum was put. After two or three years' service in India, drawing a salary in rupees, Mr. Peterson and Mr. Giles claimed (they were the only two of the five who raised the claim) that their salaries should be paid in sterling. One of them asked that it should be paid into a bank in London periodically. The Secretary of State did not attempt to dispute that there might be a legal right; from the papers I should gather he did not even refer to see if there were a legal right, but he said: If one portion of the agreement is to be acted upon (in a sense which was never intended), there is no reason why another portion should not be acted upon; the agreement is terminable at six months' notice, and you (the Bombay Government) had better give them notice to terminate their engagement, and re-engage them on such terms as were originally intended.

1971. Will you tell the Committee how many persons are affected by this inquiry?—The return which we have from India of the officers on the superior Indian establishments of the Civil Departments on the 31st March 1886, included 7,991 Europeans, 5,347 Eurasians, and 119,514 natives, being a total of 132,852.

1972. Of those Europeans a considerable number are covenanted civil servants and military officers in civil employment, are they not?—Yes.

1973. There are also High Court judges, governors, and others, who would not come under the purview of this Committee?—Apparently all those are included. The return only mentions the numbers and the amount of salary drawn; but it seems to include all those high officers.

1974. How many should you say there would be that would come under that designation?—I suppose something like 1,000 may be deducted, and perhaps even more, with the military officers. Excluding them, I suppose, there must be 5,000 to 6,000 Europeans, besides Eurasians and natives, who would be subject to any alteration of the rules that was made; so that the question probably affects nearly 130,000 men altogether.

1975. I believe since this inquiry began the Government of India have been asked by telegraph to state how many Europeans they have under covenant appointed in England, and how many appointed in India, in accordance with the wish expressed by Mr. King?—Yes, they have been asked to do so.

1976. Have they replied that it would take time to get the information, and that it cannot be got in time for the sittings of the Committee?—Yes. I presume the discrepancy between the figures I have given and those put in the Case, is that the Case omits "non-gazetted officers" as they are called; but the point I wish the Committee to understand is, that the rules are applicable to all this large number of men.

1977. Any alterations made in the rules would apply to natives as well as Europeans, unless a distinction of race were established?—Just so.

1978. A distinction which at present does not exist?—And which the Secretary of State has repeatedly declined to allow to exist.

1979. Is there an error to which you wish to draw attention on page 73 of the Case, about the official rate of exchange?—Yes, I should wish to hand in to the Committee a table of the official rate of exchange, in amplification of that which I gave to Mr. Heyman, and which he has printed in the Case. It contains not only the figures that he had, but also the actual amount realised. I have already explained to the Committee the meaning of the word "official," and I think it is clear that the officer in India who prepared that table which the uncovenanted officers themselves handed in, misunderstood the meaning of the word "official." They supposed it to mean the rate adopted in the official accounts; that is a totally different thing. It is not an unnatural mistake to make; but the phrase "official rate of exchange" is only an abbreviation. The description properly is—"The rate of exchange for the adjustment of transactions between the British and Indian Governments."

Mr. *Barbour.*

1980. It is the colonial rate that is referred to here?—The "Colonial" rate has passed away. The colonial rate was a rate specified by the Treasury for certain payments, but we have nothing to do with that now. It is stated in that case that the official rate was always 2 *s.* The Committee will see that that is not the case. The official rate has been, as I think I stated in my evidence, frequently below, and sometimes above the 2 *s.*, during those years.

1981. The

Chairman.

1981. The Act of 1858 conferred no rights in respect to pension which did not previously exist, did it?—No.

1982. Were the superannuation pensions which were granted in 1854 granted under the Rules of 1831 or excepted from them?—They were under the Rules of 1831. It was a mere addition to the Rules of 1831.

1983. The difference was only that the medical certificate was waived, was it not?—That was all. I do not know whether I read to the Committee the clause of the Rule of 1831, that the pension should be granted "on a graduated scale, within the prescribed limitations, with reference to the responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of his service." The superannuation pension granted in 1854 was on the same conditions; the only point being that the medical certificate was waived.

1984. I will take you very shortly upon this; and other members of the Committee can cross-examine you upon it if they like. The Government has reserved to itself in one of the rules which was read at the beginning of the meeting the right to alter and interpret the rules?—Yes.

1985. Is that intended on the part of the Secretary of State to be a claim to give retrospective effect to rules so as to injure any officers in the matter of vested interests which had accrued to them?—Certainly not to injure them. It was to interpret the rules, and to judge of what the spirit of the rules is, but not to withdraw from an officer any rights which he had acquired.

1986. And in frequent cases have officers been offered an option between the rules under which they entered and the new rules which were made?—Yes, there have been cases in which new rules have been introduced, when an option has been given. I do not say that has always applied. There are cases of new rules being introduced with immediate effect where the officers did not subsequently have the option.

Mr. *King.*

1987. I see that you have followed generally in your evidence the points of the case for the uncovenanted servants, as arranged and put in by Mr. Jenkins?—Yes; I endeavoured to arrange it in the order of the six grievances mentioned.

1988. I will first ask you whether you are here to answer with regard to questions of policy, or simply of fact?—Of fact. I will explain what I can, but I have no instructions to answer on policy.

1989. Do you undertake to explain to us the grounds for the adoption of the various changes in the rules, and to explain to us the general policy of the Secretary of State and the Government of India in instituting those rules, and in applying them?—I will do it as well as I can from my perusal of the correspondence. I was not holding office 30 years ago in my present position, so I can only do it from what I have found on record.

1990. I see you say that the pension rules of 1819 were applicable to Europeans and natives?—Yes.

Mr. *King*—continued.

1991. And that the Court of Directors recognised no differences on account of race between those appointed in India?—Yes, that is so.

1992. Do you wish the Committee to infer from that that there were any considerable number of Europeans at that time in the service of the company in India uncovenanted?—Yes, there were.

1993. Who came under the Rules of 1819?—Plenty of cases I have found in the correspondence.

1994. In point of fact, were not the rules drawn up for natives, and applied only to natives?—No, certainly not. It was specified distinctly in the rules that they were applicable to Europeans and natives.

1995. At all events, I suppose I may take it, that down to 1831 there were very few Europeans who came under those rules; in point of fact, I presume the Rules of 1819 have no bearing on this inquiry?—I do not think that is a correct inference. In the correspondence of that date I have found frequent cases of Europeans being mentioned as regards pension. I have some notes in my box by which I can illustrate it, if you wish.

1996. I am not speaking of Europeans holding merely artizan appointments?—No, not artizan appointments; secretarial appointments. The secretariat offices, for which these rules were to a great extent devised, comprised both Europeans and natives, and the same rules were applied to them.

1997. Now with regard to the Rules of 1831, you say they also made no distinction of race; when the Rules of 1831 were instituted, was there any considerable number of Europeans in the employ of the company outside the Civil Service?—Yes.

1998. And do you say that they also made no distinction of race between them at that time?—Yes, no distinction.

1999. The Government have made a distinction of race in regard to the treatment of English covenanted servants and the native uncovenanted servants called statutory civilians, have they not?—In respect of what?

2000. In respect of pay and pension?—In respect of pay they have on the ground that the native officer is in his own country, and that therefore the two-thirds pay is equivalent to the salary which would be given to a European.

2001. You think then that what is in the case of the covenanted servant apparently a good argument, is not one for the uncovenanted servant?—No.

2002. I mean although the fact is taken into account in dealing with the covenanted servant that the native is in his own country?—Yes.

2003. And therefore in a different position both in regard to the necessities for pay and pension?—Yes.

Chairman.

2004. May I just interpolate a question to make quite clear what you mean. Do you mean that there is a distinction made between a native covenanted servant and a European covenanted servant?—No, a native covenanted servant who enters by competition in this country receives the full pay; he has the privileges which he would

Chairman—continued.

would have as a European. There is no distinction on account of race. But, if he is specially selected because he is a native and on account of race, he is granted only the two-thirds pay.

M. *King.*

2005. I was dealing with the ground of making that distinction, and it is admitted that it is made on the ground that the native is in his own country?—In respect of pay that is so.

2006. Can you fix the date at which Europeans began to be drafted by the company into its service, and received appointments in the higher branches either from England or India?—Speaking of the higher appointments, I can only infer what existed from the fact that the Education Department and the Government of India, in 1846, pressed that it should be admitted to the pension rules, and the Public Works Department began to spring up to dimensions of any material size about 1854 or 1855; I fancy that those two Departments were the two that had the largest number of Europeans on high salaries in those days.

2007. It appears from the Despatch of the Court of Directors (20th July 1853, paragraph 5) that in the Uncovenanted Educational Service alone there were 559 persons to whom the privilege of the Rules of 1831 was extended, were these chiefly Europeans?—I cannot answer that question without looking at the Despatch.

2008. Will you refer later to it, and answer it?—I will. I find that on the 1st of May 1847 there were 559 uncovenanted professors, teachers, &c., employed under the Bengal, Agra, and Bombay Governments, of whom 473 were natives, with an average salary of 39 rupees a month, and 86 were Europeans and East Indians, with an average salary of 240 rupees a month.

2009. Did not the Court of Directors in the Despatch of the 28th February 1855 refer to the fact that there were then in the service of the Indian Government men holding appointments of 1,000 *l.* to 2,400 *l.* per annum, who were uncovenanted servants?—They refer to the fact that the Government of India had brought to their notice that there were cases of highly paid appointments of 1,000 *l.* to 2,400 *l.* per annum held then by uncovenanted officers.

2010. Were not most of these men, or all of them, Europeans?—I presume that the Government had in view Europeans entirely, in so speaking of them.

2011. Were there at that time, with the exception of native judges, any Asiatics in the service of the company who were drawing such salaries?—I think not. I do not wish you to infer from my answer that I think there were many officers holding these appointments of from 1,000 *l.* to 2,400 *l.* per annum.

2012. Quite so; I understand that; would you contend that, in appointing uncovenanted Europeans to posts involving such salaries, and in applying to them the Pension Rules of 1831, the Court of Directors intended to imply that there was no distinction to be drawn between a highly paid European uncovenanted officer and natives drawing salaries of over 10 rupees per month?—No, my reading of it is that the Court of Directors said that the Rules of 1831 were not intended for such officers; those officers were to be dealt with specially.

Mr. *King*—continued.

2013. You will remember the Despatch which has been so often referred to of the Secretary of State, 205 of 1862?—Yes.

2014. I refer to the Despatch in which it is said, "It appears to Her Majesty's Government to be indispensable that the rules to be laid down should be such as are applicable to the whole of that body, of whom the great majority are and must always be of native race, and of native habits"?—Quite so.

2015. Can you show me any Despatch of the Court of Directors which ever laid down that principle?—I do not think I am prepared to show you any such Despatch. It certainly was their policy that the great mass of the uncovenanted servants should be natives, and this seems to be taken for granted in the general tone of their order.

2016. I suppose you could only draw the idea of their policy from their Despatches?—Quite so.

2017. Do you really think that the East India Company intended that European uncovenanted officers in the higher posts should be considered and treated simply as on Indian service?—I do not think that the East India Company considered the question of the Europeans on high salaries until 1853. I read you a Despatch of 1853, in which they said that it was doubtful whether the Rules of 1831 were applicable. Shortly after that they considered what pensions should be given, and they revised them in 1854, and prescribed certain limitations for the future in 1855, with the knowledge before them that there were these high offices.

2018. Were not most of these Europeans selected and sent out from England?—No; I think, with reference to what you said of the large number of education officers, they were certainly not selected and sent out from England. The Public Works officers of 1855 were sent out from England; I believe the educational officers were not.

2019. Were they not selected for special qualifications, and for the reason that natives could not be found to fill the posts?—Who?

2020. These Europeans that were sent out from England to whom I refer?—I rather demur to their being "sent out," if you mean by the Court of Directors.

2021. I mean by the Court of Directors?—I have no evidence to show that the Court of Directors sent out high officers in those days until the Civil Engineers were engaged.

2022. But so far as they did it was, I presume, because they could not find natives fitted to fill the position?—If they did send out such officers, it would be so, no doubt.

2023. Most of them got covenants, did they not?—No; I think there were no covenants until 1855.

2024. I am referring to the earlier ones. There is one of 1849, which has been put in in evidence?—Those were made by the Bengal Government, without the knowledge of the Court of Directors, who animadverted strongly on the irregularity of the proceeding.

2025. Then I am afraid it is no good asking you whether in most of those covenants they were

Mr. *King*—continued.

were offered the benefit of the pension rules relating to uncovenanted servants; and whether the result was, that under those rules, owing to the superior posts occupied by these men, they were in some cases open to receive higher superannuation allowances even than the covenanted service?—That is a point that has been raised.

2026. It was on the covenant, was it not?—It was on the covenant. Mr. Leonard (whose covenant is similar to that in Mr. Smith's case which has been stated to the Committee), was granted a pension exceeding 8,000 rupees under his covenant.

Sir *William Plowden.*

2027. What is the name of the gentleman you refer to?—Leonard, a civil engineer, sent out in 1855.

Mr. *King.*

2028. Now we come to the Despatch of the 5th May 1854, which provided for the retirement of men who had served a period of 35 years. Was not this a relaxation of the strictness of the Rules of 1831, to this extent, that instead of having to serve until they became incapacitated by ill-health, men who had performed meritorious service might apply to be discharged at the end of 35 years?—They might apply.

2029. It is a relaxation to that extent, is it not?—Yes, a relaxation of the rule requiring a medical certificate in all cases; it was so.

2030. You state that the superannuation pensions were, therefore, subject to the same conditions as other pensions, excepting only the medical certificate?—Yes.

2031. I suppose by that you wish it to be inferred that under the Rules of 1831 no pension whatever was claimable as of right?—Yes.

2032. I will turn to that later. You say that these pension rules, though applicable to Europeans as well as to natives, were not originally intended for Europeans drawing high salaries?—Yes.

2033. But in point of fact, whatever the original intention, they were applied to such Europeans by the Company, were they not?—I have no evidence, except the case of Mr. Elliot, as to that. That is the only case I can find of a pension, even of 5,000 rupees, being granted before 1858.

2034. You said in Mr. Bennett's case that the Despatch of the Court (which you read) of 1853, showed that the Rules of 1831 were not applicable?—Were not intended to be applicable; I think the words are, are they not?

2035. Were not, in fact, the rules applied in 1854–1855?—To whom? Not to officers drawing salaries above 10,000 rupees.

2036. They were not to apply, you say?—As I say, my search of the records showed me only Mr. Elliot's case, which arose in 1855.

2037. By Despatch, No. 21, of 1855, the Public Works Department was admitted to the benefit of the Rules of 1831, subject to the fixing of the maxima of 400 *l.* or 4,000 rupees, and 500 *l.* or 5,000 rupees respectively, according to the length of service?—Yes.

2038. Do you note in that Despatch the use of the terms "sterling" and "rupees"?—I will refer to it, the Despatch of 28th February 1855.

Mr. *King*—continued.

2039. Despatch, No. 21. I suppose that is 28th February 1855?—Yes; that does not, in respect of the Public Works Department, refer to any amount. It says: "consistently with that measure we shall accede to your recommendation for embracing within the provisions of the rules such of the uncovenanted servants employed in the Public Works Department as receive above 10 rupees per month of salary." It then goes on to speak of the necessity for limiting the pensions generally, but not specially with reference to the Public Works Department.

2040. What is your explanation of the use of these terms interchangeably?—I do not find that they are used here interchangeably. All the pensions are mentioned in sterling.

2041. Four hundred pounds or 4,000 rupees?—It goes on: "You have also brought to our notice that the Pension Rules of 1831 appear to require some amendment, especially in regard to the cases of highly paid appointments of from 1,000 *l.* to 2,400 *l.* per annum, the occupants of which appointments, if invalided after thirty years' service, are entitled, under the present rule, to receive a half pension varying from 500 *l.* to 1,200 *l.* per annum, whereas the covenanted servant after 25 years' service receives a pension from the Government of only 500 *l.* per annum in any case. In the above particular we concur in thinking the present rule to be defective; and we desire that a clause be introduced providing (as respects persons hereafter appointed to the service) that in no case shall a larger pension than 400 *l.* per annum be granted to uncovenanted servants receiving salaries of 700 to 1,000 rupees a month, nor a larger pension than 500 *l.* per annum to uncovenanted servants receiving salaries above that amount, whether the retirement be from ill-health (after either 20 or 30 years' service) or without a medical certificate after 35 years' service, under the authority conveyed in our Despatch of 5th May 1854, No. 18." The two are not stated interchangeably there, but the salaries are spoken of in the quotation from the Government of India in sterling, and in the order of the Court of Directors in rupees.

2042. Do you still, after reading that Despatch, say that the uncovenanted servants were not entitled to claim pensions?—Yes; that word "entitled" is in the part which recites the substance of the Government of India's letter. The orders of the Court of Directors did not use the expression "entitled"; "we desire that a clause be introduced providing (as respects persons hereafter appointed to the service) that in no case shall a larger pension than 400 *l.* per annum be granted to uncovenanted servants receiving salaries of 700 to 1,000 rupees a month, nor a larger pension than 500 *l.* per annum to uncovenanted servants receiving salaries above that amount, whether the retirement be from ill-health (after either 20 or 30 years' service), or without a medical certificate after 35 years' service, under the authority conveyed in our Despatch of 5th May 1854, No. 18." What the Court of Directors decided was, to limit the pensions in future.

2043. What is it that would have rendered it a claim

Mr. *King*—continued.

a claim of right; suppose that both parties had happened to use the word "entitled," would that have done it?—No; I contend that there was no title under the Rules of 1831 to a pension of a specific amount. In practice, no doubt, the officer had from long usage the right to a pension, but the amount of that pension was entirely at the discretion of the Government, to be interpreted according to the Rules of 1831.

2044. Apparently the Government of India of that day differed from you?—I think that the Government of India thought that they were entitled.

2045. Their view of the case was that the uncovenanted servants were entitled, by the use of that word?—I find that what the Government of India said was that the rules of 1831 were "supposed to confer greater advantages on incumbents than they have any good reason to expect. The Court recited this as implying that the officers were "entitled" to the large pensions, but they did not, as far as I can see, admit it.

2046. I may have referred you to the wong Despatch, but in some of the Despatches they do refer to the pension as being fixed at the maximum of 400 *l.*, or 4,000 rupees?—Yes, I think it is very likely there are such Despatches.

2047. What is your explanation of that interchangeability of terms, the use of the word "or," I mean?—It is a conventional way of speaking of pounds as 10 rupees.

2048. On that rule you would have put "400 *l.*" and "4,000 rupees" in brackets; you would not put "or"?—I must point out that there was no such thing as a sterling pension payable in England.

2049. I may come to that later?—It had no meaning except to express the tens of rupees.

2050. Is the true explanation that the use of pound sterling with reference to pensions, which you say were payable in India, was adopted for the purpose of expressing to the European the currency in which his pension would be paid, while "rupees" was used to indicate to the native that he would be paid in the currency of his country?—No; the same thing would apply to salaries as to pension. In the Despatch all the salaries are quoted in sterling also.

2051. Not in rupees?—The Government of India put both the pensions and the salary in sterling; but everybody knew perfectly well that they were not going to pay the salaries in sterling; and I do not think any inference can properly be drawn from the payment of the pension in sterling any more than can be drawn from the statement that the payment of the salary was in sterling.

2052. Such a construction, at any rate, might be put upon the words, might it not?—I cannot admit that such a construction could properly be put with regard to a pension which could not be paid except in rupees.

2053. It could be paid in sterling, and was paid in sterling in many cases, was it not?—Only when the pension was granted in sterling, or where special permission was given to receive it in sterling.

2054. Assuming that at that time the rupee had been at a premium, and a European officer

Mr. *King*—continued.

was retired under these rules, and granted the maximum of 500 *l.*, do you say that he would have been entitled to demand 5,000 rupees, worth, let us say, 2 *s.* 1 *d.* or 2 *s.* 1½ *d.*?—I find some difficulty in saying what would have been done except by referring to the Return I have put in, which shows what was done; there were only seven cases of rupee pensions being allowed to be paid in England in the whole 58 years under the Court of Directors embraced in the return, and of those only two were allowed to be paid at 2 *s.*; five were paid at 1 *s.* 11 *d.*, which shows that the Court of Directors settled in each special case whether they would let the pension be paid in England at all, and if so, at what rate. I can give you a case of later date in which the officer has been allowed to draw his sterling pension in India at the lower rate of exchange, thereby giving him more rupees than was intended.

2055. In point of fact, would not the Court of Directors have settled with him, whether in India or elsewhere, in pounds sterling, by giving him the equivalent in rupees taken at the rate of 2 *s.* to the rupee. Did not they make all their settlements at that rate?—Is it salaries you are speaking of?

2056. Yes?—Salary was so paid, no doubt.

2057. You heard Mr. Jenkins' evidence?—Yes.

2058. And his argument as to the fixing of the rate of exchange at 2 *s.* to the rupee by the Company as an equitable rate for the discharge of all its obligations to its civil and military officers?—Yes.

2059. I am afraid I must ask your attention at just a little length to his evidence, I have abbreviated it. He referred to a Despatch from the India Board to the Court of Directors dated the 30th June 1814?—You are speaking of the rate of exchange?

2060. Yes, it begins on page 17. He referred to a Despatch from the India Board to the Court of Directors, dated the 30th June 1814, in which they said "that it will be far more eligible, on every consideration, to continue the rate of exchange that has generally obtained and been sanctioned by the usage of Parliament as well in fixing salaries and in the settlement of accounts between the public and the Company," as in the presentation of accounts to Parliament?—Yes.

2061. That rate was 2 *s.* to the current rupee?—To the current rupee?

2062. Yes, to the rupee?—No, not to the rupee, to the current rupee.

2063. The Sicca rupee at that time?—No.

2064. What was the rupee then?—There was no such actual coin. The current rupee was the coin of account in Bengal; and as regards its fine silver, if the current rupee was 2 *s.*, the present rupee would be worth 2 *s.* 2$\frac{1}{10}$ *d.*

2065. 2 *s.* 2$\frac{1}{10}$ *d.*?—2 *s.* 2$\frac{1}{10}$ *d.* the present Government rupee.

2066. But they took it as 2 *s.*, did they not; that is what I put to you?—Yes, they took the current rupee at 2 *s.* The Bombay rupee is the nearest approach to the present rupee, and that was taken at 2 *s.* 3 *d.*

2067. On the 3rd August 1815 the Board says again, "The only computation of the value of the Indian coins referred to in the negotiations between

Mr. *King*—continued.

between the company and the public, or submitted to the consideration of Parliament, were those of 2 *s.* the current rupee," using the word again?—Yes.

2068. "The pay of the civil and military service is received in Indian currency, with the full understanding of its relative value to sterling, on rates which custom has rendered habitual. . . . It would be unwise to make an alteration which might prove the means of furnishing grounds of claim to compensation"?—Yes.

2069. Can you point to any date in the history of the East India Company when that alteration was made, or when the civil or military services, including the uncovenanted, were paid on any rate less than 2 *s.* the rupee?—I should like to refer you to the rest of the correspondence from which that passage is taken. That correspondence shows that the rates of exchange adopted in the accounts between the British Government and the East India Company, were the rates which you have quoted, and which were said to be founded on calculations of a century old, and to be utterly unfair at that time. The Court of Directors from 1814 to 1830, for about 16 years, protested that they were being mulcted at least 4 *d.* in the rupee by this calculation; but the India Board refused to give way. The only point was at what rate the British Government should receive the payments in England on account of the troops and other payments from the commercial part of the company's accounts, to be transferred to what was called the territorial part. It was an adjustment of account between the commercial accounts and the territorial accounts, with a view to settling what should remain to the East India Company for the declaration of its dividend or the reduction of its own private debt. The correspondence went on with considerable acrimony until the Charter of 1833 swept away the commercial privileges of the East India Company, and it was no longer necessary to maintain a rate of exchange for this purpose. But long before that came to an end, the Treasury had come to the agreement, from 1824, as I said before, that what we now call the official rate of exchange should be the mode of adjustment for the annual payments that had to be made between the two Governments; and that was based on a totally different rate. Those rates of 1814 had become utterly inapplicable; but the Board of Control were strong enough to prevent the East India Company having the readjustment on fairer rates; and those rates have really nothing whatever to do with the question of the value of the rupee at that date, because, as I have said, they refer to other accounts altogether.

2070. I am sorry I do not make make myself plain. The question I want to ask you is: Did not the Court always settle with its servants at 2 *s.* to the rupee?—You put that question to me before, and I said then: You mean with reference to salaries.

2071. I mean generally; the military and the covenanted servants generally, and all their servants. They took that rate as the rate on which they settled?—I do not know what settlement they had to make. They paid in rupees.

Mr. *King*—continued.

2072. There would be the pay (furlough), for instance, to people here?—I have no evidence as to whether they allowed any furlough in those early days. I do not know what the provisions were; there were no specific furlough rules, and I believe, from my reading of the correspondence, that no officer could come to England with a rate of furlough pay, unless specific sanction was given in his case; and then it would be a special sum that he was to be allowed (100 *l.*, or whatever it was) during his absence. There was no question of half-pay or adjustment of rupees to sterling in those days.

2073. Was the question of the exchange on any other basis ever raised between the company and its servants, or the Government of India and its servants, previous to the Despatch of Sir Charles Wood in 1862?—So far as I know, there was no question of exchange at all.

2074. However raised?—It was not raised at all. I do not think there was any question of exchange, except that furlough pay was issued at 2 *s.* the rupee in the later years after 1854.

2075. You said just now, in your evidence, that no uncovenanted servant was deprived of any right by the institution of that Rule of 1855, no uncovenanted officer was deprived of any right on its introduction by that method of fixing the official rate, I think you said?—You are speaking of the Despatch under which the pension was paid in England?

2076. Yes?—Quite so.

2077. Will you explain what you mean exactly by that?—I mean that no uncovenanted officer had the right to draw his pension in England before December 1862.

2078. Do you know whether any applications were made by any of the officers to draw their pensions in sterling prior to 1862?—In specific cases, of which the return has been given.

2079. How many cases are there which were refused?—I really have not searched the records with a view to seeing that, but I can tell you that Mr. Elliot's application was twice refused. I do happen to remember that. Although they granted him a pension under such very exceptional circumstances, and they granted one of 700 *l.* a year, the Court of Directors twice refused to allow it to be paid in this country, and it was not until 1859 that he persuaded the Secretary of State to allow it to be paid in England.

2080. As a matter of fact you do not know whether many applications were made to draw it in sterling in this country prior to 1862?—No, I am not able to say whether the applications were made; it was not the rule to grant it, but whether they were made, and refused, or not, I cannot say.

2081. Now we come to the list of Grievances stated in the "Case." Grievance A., Rate of Exchange for Pensions paid in England. You state that before 1864 no pensions granted in rupees were paid in England?—Except in a very few cases.

2082. Will you explain the words "granted in rupees"?—I am speaking there of pensions which the Government of India awarded at so many rupees per annum.

Mr. *King*—continued.

2083. Were all pensions previously to that date granted in rupees?—In a few cases they were granted in sterling. I think, if I may refer you to that return of 1889, you will see that the remarks show that some of them were pensions granted in sterling; the first three on the list were sterling pensions.

2084. Were there not pensions granted in sterling previous to 1864?—There were 14.

2085. You heard one of the witnesses, Mr. Jones, give some instances, did you not?—He did, most of which were inaccurate.

2086. Cases in which he knew of gentlemen retiring on the maximum pension stated in sterling?—Yes. Mr. Jones's evidence was inaccurate on that point.

2087. You contradict his evidence on that point?—I contradict it, except in two cases of those he mentioned.

2088. Will you state which those are?—The list from which Mr. Jones quoted contains 111 cases. Of those, 12 were sterling pensions; three of them had been granted in sterling on special grounds not under the rules, namely, Captain Reddie, Mr. Macleod Wylie, and Mr. Rassam. Captain Reddie was a master attendant; Mr. Wylie was Deputy Secretary to Government in the Home Department; and Mr. Rassam was the assistant political agent at Aden, who was taken prisoner in Abyssinia. Three of them were granted sterling pensions under the special scale prescribed for barrister appointments. They were Mr. Dale, Mr. Brown, and Mr. Hore. There is a special rule in the Code by which appointments that must be filled by barristers of a certain legal standing are allowed a distinct scale of pensions fixed in sterling. Six of the pensions were granted by inadvertence in sterling. It was not found out at the time of the grants. They were paid at the 2 *s.* rate in 1870–71; and in 1871–72, when the rate fell, these officers found their pensions reduced; they appealed; reference was made to India, and it was ascertained that the letters granting the pensions had erroneously stated the amount in sterling; the Secretary of State said he must abide by the letter, and he has paid those ever since in sterling. Those are the only 12 cases.

2089. You say no inference can be drawn from it; but up to 1871, at any rate, the Government of India regarded the sterling pension as the equivalent of the 5,000 rupees?—Certainly not; because out of 111 cases which were being paid in England we were only able to find six in which this blunder had been made.

2090. In case a man had retired, let us say on 700 *l.* sterling per annum, do you suppose that previously to 1864 he would have had the option of demanding 7,000 rupees from the Government Treasury in India?—Mr. Elliot was granted 700 *l.*, but it was only payable in India, and he was paid 7,000 rupees; and it is quite clear that the Court of Directors intended that at the time, because they referred to the proportion of the salary in sterling when they meant tens of rupees. If he could have persuaded the Court to allow him to draw it in England, I have no doubt they would have given him the 700 *l.* sterling; but he was unable to persuade them to do so.

Mr. *King*—continued.

2091. You state that in 1861 the uncovenanted officers asked to be relieved of the delay, &c. of employing agents in India; do you know how many men memoralised the Government on this point?—A very large number; I do not know the number.

2092. It was a very large number?—It was a very large number.

2093. Do you think that that application was generally known in the service at the time?—I have no doubt it was.

2094. In the correspondence which took place in 1884 or 1885 upon the case of Mr. Teale, Mr. Godley was instructed to reply to Mr. Teale, "I am to add that when in a Despatch, dated 8th December 1862, No. 205, the Secretary of State, with reference to a memorial from members of the uncovenanted service, praying for the privilege of drawing their pensions in this country, decided to accede to this request, the concession was coupled with the condition that payment should be made at the rate of exchange annually fixed in communication with the Lords of the Treasury for the adjustment of transactions between the British and Indian Exchequers"?—Yes.

2095. Is that a fair statement of the case?—Yes.

2096. What is the nature of the concession there alluded to?—The privilege of drawing the pension in England.

2097. Will you read paragraphs 10 and 11 of the Despatch 205 of 1862, in which the Secretary of State himself stated the grounds upon which this privilege was allowed?—Yes. "These pensions have hitherto been payable only in India. As a rule, Europeans on being pensioned desire to return to this country, and they are consequently under the necessity of employing an agent in India to receive and remit their pensions. If the pensions are allowed to be paid in England, the delay, risk, and inconvenience of agency will be saved, while the charge to Government would be very inconsiderable. Her Majesty's Government have therefore decided that each uncovenanted servant shall, on retirement, have the option of drawing his pension either in India, or from the Home Treasury. After exercising his option on retirement, he may, at a subsequent period, change the place of payment from England to India, or *vice versâ*. This change can, however, be allowed but once. The rate of exchange is an important consideration in regard to payment in England. Her Majesty's Government will not now fix any permanent rate for the purpose, but as a rate of exchange, based on the intrinsic value of the rupee and the market price of bills, is annually fixed in communication with the Lords of the Treasury for the adjustment of transactions between the British and Indian Exchequers, which rate is applied to family remittances of officers serving in India, the same rate appears to be equitable for the payment in England of the pensions of uncovenanted servants, and is therefore to be adopted."

2098. Is there anything, do you think, in that statement which would have conveyed to the mind of the uncovenanted officer who, in 1865

or

Mr. *King*—continued.

or 1866, desired to avail himself of the convenience of drawing his pension pay in England, that he was by so doing assuming the rupee falling to 1 *s.* 4½ *d.*, or any other heavy depreciation?—He was not obliged to run any such risk, because, if he did not avail himself of this permission, he simply drew his pension in rupees in India.

2099. Did not the Secretary of State offer it as a boon designed to evade the delay, risk, and inconvenience of agency, stating, at the same time, that the charge to Government would be very inconsiderable?—Certainly.

2100. Will you notice, in paragraph 11, this statement: "Her Majesty's Government will not now fix any permanent rate for the purpose"?—Yes.

2101. Does not that imply that it was in the mind of the Secretary of State to carry out the policy which had been adopted by the East India Company, of fixing a permanent rate of exchange for the settlement of its pensions with its servants?—No; it is exactly the reverse; he declined to fix a rate.

2102. That is your interpretation of it?—Certainly.

2103. Does not the clause imply that the official rate was adopted as a temporary expedient, and for the reason that it "appeared to be equitable"?—It was adopted as being an equitable rate which would not involve any considerable charge on Government. It was impossible to say what the value of the rupee would be, and whether it would be for or against the officer to take the 2 *s.* rate; but it was quite certain that if this official rate was selected it would be an equitable rate by which the officer would not suffer on the average on his remittance.

2104. Do not you consider that these words "appeared to be equitable" are the guiding feature of the whole settlement?—Yes; quite so.

2105. And do you consider 1 *s.* 4 *d.* an equitable rate on which to pay these pensions?—From this point of view: because it is approximately the rate at which an officer could himself remit the money.

Chairman.

2106. Have they ever been paid at 1 *s.* 4 *d.*?—No; 1 *s.* 4½ *d.* is the lowest.

Mr. *King.*

2107. At present they are being paid at 1 *s.* 5 *d.*, are they not?—At 1 *s.* 5*d.* this year.

2108. The exchange being 1*s.* 7½ *d.*?—The exchange to-day is about 1 *s.* 7¼ *d.*

2109. The Government of India sold its bills yesterday at that rate?—Yes, approximately; it was a little lower, 1 *s.* 7 3/16 *d.*

2110. Can you contend that paragraphs couched in these terms show that it was the intention of the Secretary of State to bind down any retiring officer who accepted the privilege of drawing his pension in England to the loss, however great, that might accrue from a fall in the exchange?—The Secretary of State did not bind him down to anything. He permitted him, if a loss by the lowering of the rate should arise, to go back to India. What the Secretary of State said was, "I will comply with the request of the uncovenanted servant to have his pension paid periodically, at a fixed date (on quarter day) in England, but I will do it at such a rate as shall not be burdensome to the taxpayer; I will take the official rate as an equitable rate for the remittance."

2111. You add that the manner of effecting this, without running the risk of imposing on the revenue a considerable charge, was by ruling that pensions should be paid at what is usually, though not formally, called the official rate of exchange. What do you mean in speaking of the "risk of imposing on the revenue a considerable charge"?—I mean that to pay the rate of 2 *s.*, when the Government could only draw it at 1 *s.* 5 *d.*, would be imposing on the revenue a charge of 7 *d.* in every rupee of these pensions.

2112. Has it ever been contended that if the rupee went to 2 *s.* 6 *d.* the men could have claimed the benefit of the rise?—Certainly they could. The Government would have no objection to paying them then, because they would be drawing at 2 *s.* 6 *d.*

2113. But they could only exercise that option once. For instance, supposing a man went out, contemplating the difference, and made arrangements to draw his pension in India, and then the exchange fell again, and he wished again to avoid the risk of dealing with agents, he could not exercise that wish, could he?—No; for the sake of drawing it at a high rate in India he would have forfeited the saving of the comparatively trifling charge for agency.

2114. Has not the Government carefully protected itself against any such contingency of having to pay above 2 *s.*?—No; if the official rate fixed next December should be 2 *s.* 2 *d.*, we should pay at that rate.

2115. In many covenants to which we have been referred it is expressly stated, "And it is agreed that in all payments to be made under these presents the pound sterling shall be considered equal to and calculated after the rate of 10 rupees;" we have heard that *ad nauseam*, as the Chairman has said more than once?—That applies to salaries; that does not apply to pensions.

2116. What I say is that the Government did carefully protect itself in some of the clauses of its agreements against such a contingency; did it not?—No, because the pensions are not paid in sterling.

2117. I am not speaking only of pensions, but generally?—I do not know what covenant you can refer me to in which the Government have protected themselves against any such contingency; I do not think they have.

2118. You say the Government had in view the avoiding of the risk of imposing a considerable charge on the revenue?—Yes.

2119. Is there anything in Sir Charles Wood's Despatch to justify that statement, or is it conceivable that that object was ever held in view?—It is in the passage I read, "while the charge to the Government would be very inconsiderable."

2120. I read you a passage just now from that old Despatch of the East India Company in 1814, which you say did not refer in any way to such a question as this of pension?—No.

Mr. *King*—continued.

2121. But they appear to have thought, did they not, that if any attempt were made by relying on the current rate of exchange to reduce the obligation of the Government towards its servants, it might give rise to claims for compensation?—The India Board objected to make any alteration.

2122. On that ground?—Yes, on that ground.

2123. Now I see you state that the official rate had been instituted in 1824, for the settlement of transactions between the British and Indian Governments?—Yes.

2124. Can you explain to me why, if the official rate were instituted in 1824 for the settlement of transactions between the British and Indian Governments, it was never applied by the East India Company in the settlement of furlough and pensions, and of family remittances for military and civil officers before 1858?—It was applied to family remittances from 1834.

2125. Are you certain of that?—Yes; family remittances were first permitted to be paid in 1834, and they were paid at that rate from that time.

2126. At what rate?—The annual rate of adjustment for transactions between the British and Indian Governments.

2127. Do you mean at a rate of less than 2 *s.* to the rupee?—No; I have put in a table showing the particulars.

2128. In certain years was the rate less?—In certain years, yes.

Chairman.

2129. And sometimes more?—And sometimes more.

Mr. *King.*

2130. Was it ever paid at a rate of over 2 *s.*?—In several years, as you will find in that table. It was above it in 1839–40, in 1840–41, in 1854–55, in 1856–57, and in 1858–59.

2131. You say that on the average it was a favourable rate?—On the average it was rather favourable.

2132. It has hardly been so during the last few years, has it?—It has been so until the present year. It is impossible to say what the present year will turn out. No doubt, at present, the average is about $\frac{3}{4}$ *d.* above 1 *s.* 5 *d.* It is at 1 *s.* 5$\frac{3}{4}$*d.* or a trifle over that now; and the payment at 1 *s.* 5 *d.* may to some extent reduce that 2$\frac{1}{2}$ per cent., which I said was the advantage on the average that the pensioners had received. If you will look at the table you will see that in 1876–77 we paid at 1 *s.* 9$\frac{3}{4}$ *d.*, and we only drew at 1 *s.* 8$\frac{1}{2}$ *d.* We lost 1$\frac{1}{4}$ *d.* there, and during part of that year the rupee was down to 1 *s.* 6$\frac{1}{4}$ *d.*; so that we were paying then about 3$\frac{1}{2}$ *d.* in the rupee above the rate at which we were drawing.

2133. With regard to this question of drawing pensions in India, it has been suggested here (in cross-examination, I think, by the Chairman) that men can draw pensions in India, or in England, at their own option, exercising it only once, but if they drew it in India, what would they get; they would be paid in rupees, would they not?—They would be paid in rupees.

2134. Is it contended officially that that makes any difference?—No, not at all.

2135. I mean any difference in the result to the men as to what they got in England to live on?—Oh, no; it is merely that it is at their option to do what they like.

2136. The officer would draw in India in rupees, and it would have to be remitted to England at the current rate of exchange?—At the market rate in that case.

2137. But he would still lose the difference between the standard par rate of 2 *s.* and the fall in the rupee?—He would probably have to pay the expenses of agency; also he would lose in time, because he would probably receive it four or five weeks later.

2138. Of course. Have you ever read, I am sure you have read, but do you remember Sir Thomas Seccombe's evidence?—Yes; I think I know what you mean.

2139. I mean the evidence he gave when he was examined before the Committee of 1872?—Yes.

2140. Do you remember what answer he gave to Mr. Fawcett as to the reason why the pensions of uncovenanted servants are paid in England?—I do not, at this moment.

2141. If I read it to you perhaps you will recollect it?—If you please.

2142. He said, "It was felt by the Government to be desirable that persons resident in this country should be saved all the difficulties of exchange, and the dangers of remittance, and that it would be right to grant them those pensions here"?—Yes.

2143. Was that the official view of the India Office at that time?—Yes.

2144. Among the dangers and difficulties of exchange, I suppose you do not think he included this fall in the rupee or the possibility of the fall in the rupee?—The "difficulties of exchange" in that passage means the difference between a rate fixed once for the year and a rate varying every week or every quarter. The officer who draws privately, remitting at the market rate, does not know what he is going to get. The officer who draws it through the India Office, although he has to accept a very considerable loss, yet knows exactly what it will be.

2145. We now come to grievance B, maximum limits of pensions. You state that in 1855 it was brought to the notice of the Court of Directors that some of the uncovenanted officers were beginning to draw larger salaries than had previously been the custom, and that their half-pay pensions would therefore exceed 500 *l.* Now, previously to that, in fact, only one year before, was there not a Despatch of the Court of Directors, No. 18, of 5th May 1854, which was added to the Rules of 1831, and which authorised the granting to any uncovenanted servants belonging to the class recognised by the present rules a half-salary pension?—Yes, after 35 years' service.

2146. Does not that answer Mr. Bennett's case?—No; because it is particularly said, "These pensions are to be regarded as the rewards of good service; they will not, in any case, be claimable as of right; and every pension which you may see sufficient reason to grant must be reported to us with a statement of the grounds of your proceeding." I say that that shows

Mr. *King*—continued.

shows distinctly that the same rules (the Rules of 1831, which said they were to be given with reference to "the responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of his service") were applied by the Court of Directors to superannuation as to other pensions

2147. I assume we may take it for granted that in 1854 the Court of Directors must have been perfectly aware of the fact that there were men in the service whose half-pay pensions would exceed 500 *l.*?—Yes, they were beginning to exceed that amount.

2148. And yet in 1854 they deliberately authorised the extension to these gentlemen of the half-pay pension?—Under those conditions; Mr. Elliott's case arose within twelve months.

2149. We may assume, I suppose, that the Court of Directors knew what it was doing in extending this privilege to men who were drawing high salaries?—Certainly.

2150. Can you say what occurred between the 5th May 1854 and the 28th February 1855, to lead the Court of Directors to fix a limitation upon the maximum of the pensions as regarded the men thereafter appointed?—What occurred between those dates was, the receipt of the Government of India's letter of the 4th of September 1854, in which they brought to notice that the rules required some amendment, owing to the large salaries to which the uncovenanted officers were beginning to rise.

2151. May I ask you to produce and read to the Committee the letter of the Government of India to which the Despatch, No. 21, of the 28th February 1855, was an answer?—Shall I read the whole of it?

2152. If you please?—It is dated the 4th of September 1854, No. 67. "We beg to forward, for the favourable consideration of your honourable Court, the accompanying letter, No. 91, of the 4th ultimo, submitted to us by the President of the Committee for framing a code of regulations for the Department of Public Works, suggesting a revision of the rules regarding uncovenanted officers and subordinates of the Department, who are excluded, except in special cases, from the benefits of superannuation pensions, and strongly recommending that they be included in the list of those entitled to this privilege. (2.) In support of this recommendation it is urged by the Committee that the employment of the classes of uncovenanted servants (English and Native writers, Moonshees, and Mohurirs) who are entitled to pension, requires no great professional training, and involves no pecuniary responsibility or exposure to the injurious effects of climate; that Gomashtahs of the Commissariat Department are admitted to pension, whilst the native agents in the public works are not; that the first denomination of uncovenanted servants (uncovenanted servants in the Department of Public Works receiving salaries of upwards of 10 rupees per month; Executive Officers; Assistant Executive Officers; Sub-Assistant and Civil Engineers; Supervisors; Assistant Supervisors; Overseers; Assistant Overseers; Sub-Assistant Overseers; Native Agents) in the Department of Public Works consists of regularly-

Mr. *King*—continued.

educated engineers holding responsible charges; that the second class also consists generally of educated engineers; and that as all require more or less professional training, and nearly all have pecuniary responsibilities with duties involving frequent exposure to the injurious effects of climate, they have higher claims to pensionary support than the classes above referred to. It is also urged by the committee that, though an increase of uncovenanted officers in the Department of Public Works is very much needed, it is difficult to retain their services in consequence of pensions not being allowed; and it is finally stated that they have great opportunities of making money dishonestly, and that strong temptation to do so is now placed in their way in consequence of moderate salaries, and the want of pensions, leaving them no other means of providing adequately for themselves, in case of bad health, or in old age. (3.) Concurring in these views we beg to recommend that the uncovenanted servants in the Department of Public Works be admitted to the benefit of the general pension rules. (4.) We also take this opportunity of observing that, on various points, the present pension rules of the 4th January 1831 appear to us to require amendment. Since the date of the passing of those rules the uncovenanted service has been greatly increased; new classes and new grades of appointments have been created; and whilst on this account the Rules of 1831 are inapplicable to many cases to which they might with propriety be extended, they, in other cases, and particularly in the cases of the more highly-paid appointments,* are supposed to confer greater advantages on incumbents than they have any good reason to expect. (5.) We would offer the subject for the attentive consideration of your honourable Court, and suggest that the Government of India be directed to make a general revision of the rules."

* Such as the appointments of—

	Rs.
Superintendent of Preventive Service, Customs, Calcutta	800
Sub-Deputy Opium Agents, Bengal - - - - -	800,900
Registrar, P. W. Island - - - - - - - -	1,493–5–4
Postmaster General, Bengal - - - - - - -	1,500
Senior Magistrate of Calcutta Police - - - - -	2,000
1st Judge, Court of Small Causes, Calcutta - - -	1,500
2nd ditto - ditto - - ditto - - - - - - -	1,000
3rd ditto - ditto - - ditto - - - - - - -	1,000
2nd Principal Assistant to the Commissioner of Aracan -	800
Junior Magistrate, Calcutta Police - - - - - -	800
Secretary to the Superintendent of Marine, Calcutta -	1,000
Secretary to the Council of Education, Bengal - - -	1,000

in which, if half the salary be granted at the expiration of 30 years, according to established usage, the incumbents will get pensions of from 480 *l.* to 1,200 *l.* per annum; the pension allotted to covenanted civil servants, free of payment, being only 500 *l.* a year after 25 years' service.

2153. Now, while on this point, I may ask you to explain whether it was not distinctly contemplated by the Court of Directors, when writing the Despatch of the 5th May 1854, that there were Europeans already in the service, either under covenant or otherwise, who under the directions then given might, or would, become entitled under the rule then made to a larger pension than 500 *l.*?—I will tell you what the point was, as I understand it.

2154. I will ask you this: do you go so far as to say that the Court of Directors held while publishing these rules, and holding them out to men as inducements to enter the service, that a pension was only a matter of grace, and that the maximum pension was only to be granted in cases of extraordinary merit?—I say

that

Mr. *King*—continued.

that the pension was to be granted under the Rules of 1831, on a consideration of the officer's services.

2155. But only as a matter of grace?—The amount was a matter of grace. They had the right to some pension, but the amount of it was a matter of grace, or rather a matter of discretion.

2156. I thought you said they could claim no pension?—Oh, no, I do not say that at all.

2157. As a matter of fact, does it not appear from the returns that at that time very few European officers could have served sufficiently long to have earned the benefits of retirement under the Rules of 1831?—That is precisely my point. From the Despatch I read, it would appear that there were about a dozen offices, the incumbents of which might come on the pension list, and the object of the Despatch was to provide for what should be done in such cases in future.

2158. I see that in the Despatch, 205 of 1862, paragraph 23, Sir Charles Wood laid down, "I must observe that under the existing pension rules an uncovenanted servant is not entitled to claim a pension of the full amount, which is only authorised as the reward of approved service; and when the rules were framed it could not have been contemplated that a larger pension than 500 *l.* per annum could ever be granted." Does not that by implication concede the principle that at all events as regarded the Company it contemplated, at least, a pension of 500 *l.*?—I do not think it implies anything more than that 500 *l.* was the maximum. I do not think it implies that they contemplated "at least 500 *l.*"

2159. The Secretary of State in 1862 practically admitted that at least 500 *l.* maximum was fairly claimable as the reward of good service, did he not?—Might fairly be granted. You say "fairly claimable;" but I say "might fairly be granted."

2160. Are those his words?—I think you said that it was "fairly claimable." The eighth clause of his Despatch says, "The period of service which is to be admitted in considering a claim to pension must be continuous." That shows that a claim to pension was recognised by the rules, no doubt; but it goes on to say, "pensions of the full amount stated are to be granted only as the reward of approved service." The point was, that the rules laid down certain limits; originally the limit was half-pay; when it was found that those words might convey a much larger pension than had been intended, the limit of 500 *l.* (as it was expressed in those days) was put in for officers who might hereafter hold the high appointments.

2161. As I understand it, the Secretary of State meant, on the contrary, to say that a man could not claim the full pension of half salary under the Rules of 1831 (I am speaking of the Rules of 1831), though he might be entitled to claim the full pension of 500 *l.* under the Rules of 1855. Is the statement that an officer under the existing pension rules was not entitled to claim a pension of the full amount an accurate one?—I think it means that the Government were at liberty to grant it, if they held that the nature of the service, and the way in which the service had been rendered, would justify that amount; the Government was at liberty to grant that amount if it thought fit.

2162. I will call your attention again to the Resolution of 19th May, published on receipt of that Despatch of the Court of Directors, No. 21, of the 28th February 1855; there it is stated that the honourable President in Council is pleased to resolve, in accordance with the orders in the Despatch above mentioned, that such of the uncovenanted servants, employed in the Public Works Department, as receive above 10 rupees per month of salary shall be entitled to superannuation pensions under the Pension Rules for January 1831. Now I call your attention to that Despatch of 28th February 1855, from the Court of Directors to the Government of India: "You have also brought to our notice that the Pension Rules of 1831 appear to require some amendment, especially in regard to cases of highly-paid appointments of from 1,000 *l.* to 2,400 *l.* per annum, the occupants of which appointments if invalided after 30 years' service are entitled under the present rules to receive a pension varying from 500 *l.* to 1,200 *l.* per annum, whereas the covenanted servant after 25 years' service receives a pension from the Government of only 500 *l.* per annum in any case." Without pursuing that, what I wish to ask you really is this: was not the meaning of the Court of Directors that in every case of a faithful and efficient discharge of duty they held out to the uncovenanted officer the prospect of a maximum pension?—No.

2163. While on this point may I ask, are not the servants of the India Office paid by the Indian Government?—Yes.

2164. And they are uncovenanted servants?—They are; in the sense that they have not covenants, it is true.

2165. Have you not provisions of maximum pensions in the India Office?—Yes; we have the Superannuation Rules.

2166. Did you ever know a case in the India Office in which even an ordinary discharge of duty, in such a manner as not to call down rebuke or punishment from the Secretary of State, was not rewarded by the grant of the maximum pension?—No; the rule is the general rule of the English Civil Service.

2167. Is there any just reason why a difference should be made between the uncovenanted servants at the India Office and the uncovenanted service in India in this respect?—I do not understand that any difference is made.

2168. Yes, there is a difference; you say they have no right to a maximum pension in the case of the uncovenanted service of India?—Maximum in the sense of beyond the limits which were laid down in the spirit of the Rules of 1831. The Despatches laying down the limits only profess to have interpreted the spirit of the Rules of 1831; they do not profess to have gone away from what was intended by the Rules of 1831 at all, as I understand them.

2169. It has been stated in one of the Despatches which has been quoted that, as regards the amount of pension to be given, the rules merely fix a limit which is not to be exceeded; and although it has, with rare exceptions, been the

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the practice to allow the highest pension of which the rules admit, this practice cannot be admitted to confer on the uncovenanted service any rights to claim that maximum in all cases without any regard whatever to the original design and scope of the rules. It has been thought rather to extend the practice to allow the highest pension?—Yes, I think there is no doubt it was so, just as it is under the English Superannuation Act.

2170. That does not seem quite consistent with your statement, that the Company in instituting this maximum did not wish the men to consider that the highest pensions were generally obtainable for good service?—The highest pension in the ratio of half pay was obtainable as the reward of good service; but the court of directors finding that those words would give extravagant pensions laid down those limits.

2171. There is a Despatch of Lord Dalhousie's Government (No. 87 of 1854), in which he says: "If half the salary be granted at the expiration of 30 years according to established usage, the incumbents will get pensions of from 480 *l.* to 1,200 *l.* per annum"?—Yes, that is the one I read just now.

2172. Do those words, "the established usage" not affect your judgment at all?—They do not affect my judgment, because I do not contend for a moment that the established usage was not to give the half-pay. I believe it was fully so; but when it was found that those words might, from the fact that certain officers were drawing very large salaries, enable them at half-pay to receive much larger pensions than the spirit of the rules intended, the limits were laid down for the future, and it still remained that the officers who were then in the service were to be considered under the Rules of 1831 with reference to the nature of their employment and the merits of the individual.

2173. I understood the manner in which they evaded giving the half-pay, was that they were not bound to give the maximum pension, that there was an established usage or custom, but no claim?—There have been many instances of officers then in the service being granted more than the 5,000 rupees, a great many.

2174. But not more than half-pay?—No, not more than half-pay. The grant of pensions beyond the limit of 5,000 rupees was supposed to be within the spirit of the rules. There are many such cases, and in each case the recommendation of the Government of India has been considered specially. In the case of the officers who have not received pensions beyond that limit, there are no such recommendations.

2175. I understand you to state that for ordinary good service an officer is entitled to the maximum pension?—Not "entitled"; by established usage he may for ordinary good service receive the half-pay, provided that that is not in excess of the spirit of the Rules of 1831. If it is in excess of that, the pension is adjudged upon the merits of the particular case.

2176. I notice by the way that in the memorandum drawn up by you and circulated among the Committee, you state that under the rules of 1831 the rates of pension were to be on a graduated scale within the maximum limits with reference to the responsibility and arduousnes of the employment, the degree of merit of the individual, and the nature and length of his service?—Yes.

2177. Were those conditions ever published?—Certainly.

2178. Can you refer me to any despatch or pension code which has been published which states those conditions?—They are in all the codes I believe.

2179. Those words?—Yes.

2180. You state that in the year 1846 the Government of India proposed that the Educational Department should be allowed the benefit of these pension rules, that is, the rules of 1831, but that the Court of Directors declined on financial reasons; on financial grounds rather?—Yes.

2181. Is it not stated in their financial letter to India, No. 23 of the 20th July 1853, that it appeared from returns published by the Government of India that the proper charge to the State for pensions would amount to about 20,000 rupees per annum, on the strength of the education establishment existing at that time?—Yes, on the establishments existing in 1847.

2182. Is it not clear from that statement that the Government of India based its calculation on the principle that most of the men, if not all, would retire on the maximum?—Yes; but not I think on a large salary. I think they were all on the small salary of that day. Those 559 men to whom you refer were mostly the masters of the native schools. They were not as a rule the graded officers of the present educational service. There might have been a few among them.

2183. I observe also in the statement which you have circulated among the members of the Committee, that in 1853 a number of uncovenanted servants in Bengal applied for the institution of a pension fund to which they might subscribe 4 per cent. on their salaries?—Yes.

2184. May I assume that in fact the proposition was to assimilate the uncovenanted and the covenanted in the matter of their pensions?—To a great extent. It was similar in its nature.

2185. They have always been refused to be allowed to contribute anything towards pension, have they not?—Yes, it was found that it might impose a heavy charge upon the revenues. Before the rules of 1831 were passed, there was the very great discussion to which Mr. Jones referred (Mr. Holt Mackenzie's Committee), in which it was considered whether a fund could be established; and it was found impracticable as not being adapted to the natives.

2186. I ask the question because you have pointed out in your evidence that the covenanted civilian was entitled to better treatment because he contributed 4 per cent.?—Yes.

2187. If the other uncovenanted servants applied and were refused it seems hardly relevant?—That is my point; that they were on so totally different a footing that you could not compare them.

2188. You state that in 1862 the question was raised whether officers not already in receipt of 10,000

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10,000 rupees a year should be allowed by promotion to get pensions in excess of 500 *l.* And you state that all the authorities were agreed that this ought not to be, but they differed as to the manner of effecting the object?—Yes.

2189. Between the Despatches of 1858 and 1864, the Government of India had been transferred from the East India Company to the Crown. I assume it may be taken that the withdrawal of 1862 was indicative of a change in the policy of the home authorities with regard to the East India Service and its uncovenanted servants?—I do not think so. I do not think there was any change of policy then.

2190. You say that all the authorities were agreed that this ought not to be?—They were all agreed that the Rules of 1831 were not intended to give the excessive pensions, and that it should not be allowed.

2191. In other words, you mean that all the authorities were agreed that it was advisable to take some means of repudiating the obligations which had been entered into by the East India Company?—No, I certainly do not. It was not a question of repudiating any obligations under which they had already come, but it was a question of dealing with those who might, by promotion, acquire claims afterwards.

2192. Still, in point of fact, have not the Government of India and the Secretary of State recognised an equitable claim on the part of all officers who had entered the service before 1858 if not before 1864 to have the benefit of the Rules under which they had entered the service?—Yes, always with that proviso which I have put in, that they judged each case on its merits.

2193. The Secretary of State in the Despatch 205 of 1862 denied, I believe, that uncovenanted officers appointed under the Company had any other claim than that to some pensionary support?—Yes, to such as might be considered just.

2194. Those are the words; I quote them. Can you show me in any despatches of the East India Company any basis for that statement?—I am afraid I should weary you if I were to try and pick out from my notes the number of cases in which the East India Company maintained their absolute right to decide what should be given in all cases.

2195. I will take it generally that you could do so?—Yes; there are plenty of cases in which they held that it was more of a charitable nature to consider what should be done.

2196. Of a "charitable nature" you say?—To a great extent, of a charitable nature; they were to consider chiefly whether the officer had absolutely broken down.

2197. In the same despatch did not Sir Charles Wood place a still further limitation upon the granting of pensions under the Rules of 1831 and 1855; did he not make them contingent upon extraordinary merit?—Those words undoubtedly seem to do so, but I do not think that it has ever been applied in any other sense than as meaning something beyond ordinary merit.

2198. Did the East India Company ever raise the question of extraordinary merit under its rules: if so, can you refer me to any despatch in which that was done?—No; the interpretation put upon that is, that long service in quite an ordinary office did not entitle to more than 5,000 rupees, but that if the service had been of a higher character it should be specially considered.

2199. You are no doubt aware of the edition of the pension and leave rules which was published during the period of the East India Company in 1856, in the Bengal Directory and Annual Register?—Yes.

2200. I believe it has been quoted in letters addressed from the India Office to memorialists as though it were an official document?—Yes.

2201. Was it an official document?—The rules in the Directory were a copy of the rules as originally published, with notes explaining the subsequent amendments.

2202. In that document may I call your attention to a paragraph, the marginal note of which is "Extraordinary service rendered." It is there stated that the Honourable the Court of Directors, in paragraph 46 of their despatch to the Financial Department, dated the 20th June 1849, remark: "The sole ground on which a justification of the relaxation of rules so liberal in their provisions as are the superannuation rules for the uncovenanted service, can fairly be based, are either extraordinary service performed, injuries sustained in the discharge of public duty, or a sudden termination of official service resulting from a visitation, such as blindness, which wholly incapacitates from every kind of employment." I think I am reading it correctly?—Yes.

2203. Is not the meaning of that paragraph that the Court of Directors contemplated extra rewards for extraordinary service; and is it not implied in that statement that the ordinary maxima were allotted to retiring pensioners who could give proof of an ordinary efficient discharge of their duties?—I do not think it had any reference to the amount of pension. I think that only meant whether a pension should be granted before 15 or 25 years' service, as the case might be.

2204. Is it not the case that when pensions are offered to civil servants in England for certain services to be rendered, it is usual in case the service has been ordinarily efficient to give the full amount of the pension; you have already stated that it is, I think?—Yes.

2205. The Secretary of State in his despatch of 1862, says that the East India Company could not have contemplated pensions above 500 *l.*?—Yes.

2206. Can you reconcile that statement with the statement contained in the Despatch of the 28th February 1855, from the Court of Directors, that there were men at that time holding highly paid appointments of from 1,000 *l.* to 2,400 *l.* per annum, who were entitled to half pensions varying from 500 *l.* to 1,200 *l.* per annum?—You will observe that it says that when the rules were framed it could not have been contemplated. That was 24 years before the Despatch you are referring to of 1855.

2207. You say that the East India Company in 1831 could not have contemplated it, but that they

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they might have been contemplating it in 1855? —Yes; only then they took pains to prevent the very large pensions being granted in future.

2208. Will you inform the Committee if you know of a single case in which an officer was not guilty of misconduct and was yet refused the maximum rupee pension?—Do you mean a maximum above 5,000 rupees?

2209. No?—No, I am not aware of any case within the limits.

2210. If rupee pensions were never refused on this ground, can you inform the Committee why, when the pension promised is stated in pounds sterling, it should not be so paid?—On the ground that the denomination of pound was intended to mean 10 rupees, and not a pound sterling. It could not have any other meaning when you contemplate the fact that the pension was to be drawn in India.

2211. In the same despatch, that is the Despatch of 1855, dated 28th February, the three last lines of paragraph four state, "Whereas the covenanted servant, after 25 years' service, receives a pension from the Government of only 500 *l.* per annum"?—Yes.

2212. Was that also intended to mean 5,000 rupees?—No, the covenanted servant had his pension under totally different rules. By virtue of the agreement under which he subscribed a percentage on his salary, throughout the service, and took the risk of losing the whole of that by his death, even the day before he would be entitled to his pension, he was allowed a certain pension which was fixed in sterling.

2213. Fixed in sterling?—The covenant annuities; they were not pensions, they were annuities. They were granted at so much sterling, or rupees, according to whether the officers wished to draw them in India or in England.

2214. What I fail to understand is why, if the Court of Directors meant the pensions to be paid in India in rupees, they should have quoted them in sterling?—I cannot admit your inference. No doubt, if the Court of Directors had looked forward to the fall of the rupee, they would have expressed the pension in rupees in exactly the same way as they did in the case of the salaries.

2215. In fact, we may take it that, up to 1871, neither party contemplated the fall in the exchange which has taken place?—Certainly.

2216. And that, if the 500 *l.* were paid, it would be no more than the people at that time contemplated?—That I have no doubt is correct. It is what was contemplated.

2217. Now to turn to the question of "length of service required for pensions." The only remark you make upon this is that it is the application of the general rule for a local service. Is it the view of the India Office that although Europeans are drafted into the service to occupy posts for which natives are not fitted they are nevertheless to be treated as natives?—That is the policy; it appears in the despatches which I read to the Committee.

2218. On what grounds do you call this a "local service"?—The appointments are made in India by the local governments, not made through the Secretary of State.

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2219. Including police appointments?—Certainly; appointments of which the local government has reserved the patronage to itself.

2220. They would have come, under the definition, given by the Duke of Argyle in his despatch, as posts to which natives are not fitted for the higher appointments?—If the Government of India think the posts are not such as can properly be filled by natives and wish to secure for the incumbents the benefits of the better leave rules, they have only to ask the Secretary of State to make the appointments or to recognise their appointment, but when they do not do so these officers are local, and do not obtain the benefit of the better furlough rules.

2221. There may be men in the same service, doing the same work, holding identical appointments, some appointed by the Secretary of State and some appointed by the local governments. How do you divide them?—According to whether they receive their appointment from the Secretary of State or from the local governments.

2222. What do you call the "Secretary of State's men"; a non-local service?—Yes, the term used by the Public Service Commission is "Imperial."

2223. That is not carried out now, is it?—That is not carried out yet.

2224. As you have alluded to that Public Service Commission, may I ask you whether the greater portion of the gentlemen who have appeared before this Committee would not be relegated to the Imperial Service as recommended by that Commission?—I cannot tell.

2225. The Commission recommend it, did they not?—The Commission recommend it. Whether the Government of India would adopt the recommendation or not I cannot tell.

2226. I do not ask you what the Government of India would "adopt," but what the Commission recommended?—If I understand the recommendation of that Commission, many would have been appointed to the local service and remained there for ever.

2227. They call it Imperial and provincial, do they not?—Yes.

2228. And those who were to go into the provincial service were to have the native rules? —Yes.

2229. There is a somewhat arbitrary division there, because you divide the service; you divide members in the same department of the uncovenanted service; some are local and some are non-local?—Yes; I tried to explain how that arose, by the Orders of 1872 and 1876, in which the Secretary of State conceded to the officers who at that time had acquired a certain position rights which they had not before, but declined to concede it to any who should thereafter rise to the position.

2230. Has not the Government of India repeatedly represented to the Secretary of State that a service of 30 years in the Indian climate is too great a strain upon a European?—Yes.

2231. Can you explain on what ground a distinction should be drawn between Europeans drafted into the service by the Secretary of State and those who are drafted into the service on the spot by the Government of India? I mean are they differently treated; are they equally liable to

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to disease?—It is a question of patronage as I understand it.

2232. You have stated that it was on account of keeping them from enjoying high appointments, those appointed in India to the local service; but as a matter of fact some of those men have received the very highest appointments in spite of that, have they not?—Yes, they have; some of the witnesses you have had before you are men who have risen; men who got their appointment by local patronage, instead of going through the competitive examination.

2233. Has not the Government of India repeatedly protested against making a distinction between these two classes of officers?—Yes; the Government of India does not like to have its nominees treated as inferior to the others.

2234. In fact there might be said to be a good deal of jealousy on the part of the one government in relation to the other, might there not?—Yes. It is not only the Secretary of State. Parliament has repeatedly expressed a strong wish not to allow local nominations to be made in India to high appointments.

2235. The Secretary of State would like to keep it as far as possible in his own hands?—Yes.

2236. The Secretary of State wishes to keep the patronage as far as possible on this side?—No, not the patronage.

Chairman.

2237. Is there any patronage in the hands of the Secretary of State?—The educational appointments are not made by examination, but they are made by selection from those who have already passed high examinations; otherwise I believe the appointments are all made after competitive examinations, in the case of the men sent out by the Secretary of State.

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2238. As I understood your answer, you said Parliament desired to keep it under control; Parliament is never consulted in any of these appointments, is it?—No, not to keep it under control; you misunderstood me. I said Parliament has expressed repeatedly a strong wish not to allow the local nominations to be made in India to high appointments.

2239. But as a matter of fact the necessities of the situation I presume have driven the local governments to make those appointments?—I think it is only that they did not choose to have the patronage taken from them. The police authorities are officers of very high standing, many of them; and might equally be appointed by competitive examination here.

2240. How are they appointed now?—I do not know whether it is ever by nomination alone, or whether in all cases there is an examination.

2241. They are nominated in India I may take it?—They are nominated in India. To what extent they are subjected to examination I am not quite sure.

2242. And then examined I think; we had that stated in evidence?—Yes, as a general rule, at any rate.

2243. Will you refer to a despatch to the Secretary of State from the Government of India, No. 227 of the 4th October 1870, and read it to the Committee?—I have not the despatch at hand at this moment.

2244. I will come back to that again. Now as regards the age for commencement of service for pension, you state that under the Rules of 1856 of the East India Company the Court laid it down that no clerk or writer should be appointed before 16, and that all service should count for pension?—Yes.

2245. Is not that still the rule with regard to all covenanted servants, to military officers, and to men appointed by the Secretary of State to the Public Works, Telegraph and other departments?—They count their service from the date of appointment, although it may be under the age of 22.

2246. Can you state on what grounds a distinction is made between these classes and other Europeans in the service of the Government of India who are occupying posts for which natives are not fitted?—The rule was not laid down for Europeans. It was a rule for the local service and chiefly for natives. It was stated to be laid down, because the service must ordinarily be officered by natives, and it was necessary to make the rules applicable to them.

2247. You state that, in 1861, uncovenanted servants being desirous of having a superannuation pension granted after less than 25 years' service, asked for the option of retiring after 25 years' actual service, reckoned from the age of 21, and excluding two periods of absence from duty, except privilege and casual leave?—Yes.

2248. Can you produce to the Committee the actual terms of that request?—The memorial is a very long one. Perhaps it will be sufficient if I read the 10th clause?

2249. Yes?—"The specific benefits which your memorialists pray for, are,—I. That the bar, which at present excludes uncovenanted servants, whatever their merits or special qualifications, from holding offices heretofore reserved for covenanted officers, be removed; and that it be left to the discretion of the Supreme and Local Governments to promote meritorious uncovenanted servants to such offices, under such regulations as may be deemed necessary. II. That on the production of a medical certificate of incapacity for further service, a pension equal to one-third and one-half of the average salary or authorised official emoluments, for the last five years, be granted to all uncovenanted servants after 15 and 22 years' actual service respectively; such service being reckoned from the age of 21 years, and excluding all periods of absence from duty, except casual and privilege leave. III. That all uncovenanted servants be allowed the option of retiring, without production of a medical certificate, on half of the average salary, or authorised official emoluments drawn by them for the last five years, after 25 years' actual service, reckoned from the age of 21 years, and excluding all periods of absence from duty, except privilege and casual leave. IV. That sick leave during the entire period of service be limited to three years as at present, but to be taken continuously, or by instalments, as may be desired. If leave be

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be obtained for more than one year continuously, the absentee to be subjected for the first 12 months to a deduction of one-half of his salary, and during the remaining period of absence, to a deduction of two-thirds salary, provided that in no case shall a larger sum than 600 *l.* per annum be drawn. V. That uncovenanted servants, after 10 years' service, be allowed furlough for one year on one-third salary and without loss of appointment; that a second furlough of one year be allowed on the same terms after an interval of five years from date of return from previous furlough; and that furlough for two years continuously be allowed after 15 years' service, on one-third pay. VI. That uncovenanted servants proceeding to any part of the United Kingdom, as pensioners, on sick leave, or on private affairs, be allowed to draw their pensions or absentee pay at the India House, in like manner as members of the other Indian services."

2250. Will you explain why Sir Charles Wood in his Depatch No. 255, of the 8th of November 1865, stated that the limit of 22 years was fixed "in order to render the rule justly applicable to both," that is, to Natives and Europeans?—I understand that the object was to prevent the Natives coming on the pension list too early; they were habitually appointed at the age of 16 or 17; and he considered it necessary, as Europeans would not ordinarily be appointed at so early an age, to lay down a rule which should be fairly applicable to both, and he took 22 as being the time when a European officer would in ordinary course become efficient for the public service. I am only able to give that as an interpretation of my own.

2251. There was, I believe, a reduction in the number of years required for service for pension under this rule?—To which date do you refer?

2252. When the uncovenanted servants petitioned in 1861?—Yes.

2253. Under the old rules of the East India Company for a pension not exceeding one-third of the salary, the service was 20 years?—Yes.

2254. Under the new rules of 1863–64 the service was reduced to 15 years?—Yes.

2255. But instead of one-third, the pension was limited to 3,000 rupees per annum?—Yes.

2256. Under the old rules, the service for one-half the salary pension was 30 years?—Yes, the service for pension.

2257. Under the new rules it became 25 years?—Yes.

2258. But it was limited to 5,000 rupees per annum when men retired under medical certificate?—Yes.

2259. Under the new rules of the Court of Directors of 1854 an officer might be retired on one-half pension at the end of 35 years?—Yes.

2260. Under the new rules the service was reduced to 30 years for a pension of 5,000 rupees?—Yes.

2261. I have got all that correctly, have I not?—Yes.

2262. Will you point out to the Committee wherein the new rules were, as was contended in the Despatch of the Secretary of State, No. 1, of 18th January 1865, more favourable than the old rules?—In what respect they were more favourable?

2263. Yes?—Is that reference to leave or pension rules? I think that refers to the leave rules.

2264. Yes, to leave, generally?—Under the leave rules of 1856, an uncovenanted officer could not (without medical certificate) have more than six months' leave at a time, unless there were special circumstances; and he had to serve six years more for a second six months' leave; and half-pay would only be issuable on his return to duty. Under the Rules of 1863, he could as an alternative have a year's furlough after ten years, and a second year after 18 years' service, with half-pay. He was allowed to retain the former privilege if he preferred it, but he might have the furlough instead. In case of leave on medical certificate, the Rules of 1856 give a maximum of half salary during first year, and of one-third salary during second or third years. The Rules of 1863 gave half salary during the first 15 months in each period, and quarter salary during the remainder of each period (within a maximum of 300 *l.*). Therefore an officer who wished to retain the privileges of the old pension rules, taking leave after the now furlough rules were in force, could have taken six months' leave on private affairs after 10 years' service, and a second six months after 18 years' service; and he could have taken one year on medical certificate with half-pay twice; in neither case would he have had advantages in excess of those of the Rules of 1856. But if he took more than six months on private affairs at one time, or more than 12 months with half-pay on medical certificate at one time, he had advantages in excess of those under the Rules of 1856, and thereby forfeited his claim under the Pension Rules of 1831.

2265. You allude to the case of Mr. Ferrand, which was decided by the Despatch No. 1, of the 18th January 1865?—Yes.

2266. You state that in reply to a Report from the Madras Government, the Secretary of State decided that the new leave and pension rules must be taken as a whole?—Yes.

2267. But that any officer appointed before they were promulgated, might have the benefit of the old rules if he preferred them?—Yes.

2268. In the Rules published on the 8th June 1863, was there any proviso laid down that officers who availed themselves of the leave Rules of 1863 could claim no advantages under the previous leave or pension rules?—It was not published at that time. It was published later on.

2269. What date was it published?—In March 1865. It was in consequence of Mr. Ferrand's memorial. The Secretary of State said, in at least three Despatches (there were two Despatches on cases of Civil Engineers), that officers might have the option of old or new rules; but that if they took the benefits of the new furlough rules they must not have the benefit of the old pension rules. Then the Government of India said that

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that the furlough rules were issued once for all, and that it had never been their intention to allow a man to pick and choose his furlough rules; they asked for instructions; and the Secretary of State approved their view, and they published it in a Notification of the 3rd January 1868, in which it was explained in this way: "New Rules for leave of absence and pensions for uncovenanted servants, generally, were promulgated on 8th June 1863. An uncovenanted servant appointed before that date, and whom the Government may consider to be entitled to favourable consideration, is allowed by Financial Notification No. 1349, dated 29th March 1865, to count service towards pension under the old rules, whenever, in respect of such reckoning, they may be more beneficial than the new, provided he shall not, at any time, have availed himself of the benefits conferred by the new leave rules. This proviso does not give any uncovenanted servant, appointed before 8th June 1863, the option of the old leave rules. Whatever leave he requires must be given under the new rules; but if he desires to retain the benefit conceded in Financial Notification, dated 29th March 1865" (that is an option), "he must abstain from availing himself of so much of the advantages of the leave that he may take under the new rules as may be in excess of what he could have had under the old rules. For example, an officer who could have taken 15 months under the new rule, must not avail himself of more than 12; if he took 15 he was taking the benefit of the new rules. He might have the 12 months under the old rules, as before.

2270. Is there anything in that Despatch (205 of 1862) which justifies, or which would have led to the conclusion that if an officer accepted the advantages of the new leave rules he would thereby be forfeiting whatever advantages would have accrued to him under the old pension rules?—The Despatch did not enter into the subject at all.

2271. Have not the leave and pension rules been always kept distinct, both under the Company and under the Government of India?—The rules were published in 1863, and in 1865 it was explained that they went together so far as regarded officers availing themselves of the new or the old privileges.

2272. Was there any notification ever given to officers that by taking the new leave rules that they would thereby be forfeiting their advantages under the old pension rules?—It was in that Notification of 1865. I believe it merely published the despatch on Mr. Ferrand's case, and the despatch which forwarded a copy of it to the Government of India. The latter is very short: "You will observe that, in certain cases, where the application of the new rules would render it necessary for an officer, in order to obtain his pension, to serve for a longer period than was required by the old rules, Her Majesty's Government authorise the grant of a pension under the old rules, provided that he has not at any time availed himself of the benefits conferred by the new leave regulations." That was dated the 18th January 1865, and it was published on its arrival.

Mr. *King*—continued.

2273. Have not frequent memorials been presented to the India Office, in which officers complain that at the end of their service they found themselves precluded from claiming the advantages of the old pension rules on the ground that they had taken advantage of the Leave Rules of 1864?—I do not know whether there have been frequent memorials to the India Office. I am not sure. I will not answer that question positively.

2274. Can you say whether, when an officer applies for leave, any intimation is given to him as to the effect which his taking leave under certain rules may have upon his future prospects for pension?—No, certainly not, I should think. I am not aware of any.

2275. But, in point of fact, did not the Government of India refuse to give the officers appointed before 1863 the right to go on leave under the old Leave Rules of 1856?—Yes; as I have just been explaining, the old leave rules were stopped for ever. Warning was given in that Notification of 1865 that, if they took the benefit under the Rules of 1862 in excess of those of 1856, they would lose the benefit of the old pension rules.

2276. Were not such officers, in fact, told that they had no option, that they must go under the Leave Rules of 1863, and subsequently was not the fact that they had gone under the Leave Rules of 1863 cited against them as conclusive against their claim to have pension under the Rules of 1831, or to a sterling pension under the Rules of 1855?—Yes; and it was shown to them that they need not exercise the full privileges of 1863; it was only if they enjoyed privileges in excess of those given in 1856 that they were affected.

2277. What I asked you was whether they were not refused the right to go on leave under the old leave rules?—Yes; but they were not bound to take the full amount which the new rules permitted, as I illustrated to you by the case of a man having 15 months' leave. He might take only 12 months.

2278. That was never explained to them, was it?—I have no reason to think it was ever explained. I can find only the Notification of the 3rd January 1868 upon the subject.

2279. Was not the fact that they had gone under the Leave Rules of 1863 cited against them as conclusive against their claim to have pension under the Rules of 1831?—No, I do not think that is quite a justifiable inference. If they had taken the greater benefits under the Rules of 1863, it would be so. I have no reason to think that any of the officers guarded themselves, or did not avail themselves of the new privileges.

2280. The officer could not possibly have known of his own knowledge that he had to guard himself by taking these precautions against future action on the part of the India Office, could he?—I have nothing to say on that point, except to state the fact that public notification was given of it. I daresay the officers did not know it.

2281. You could give an instance to the Committee, could you not, of some one who has suffered in consequence, or who has been refused on the ground

Mr. *King*—continued.

ground that he had gone under the leave-rules of 1863, some one who had acted indiscreetly?—Yes, I have no doubt there are many; but as a rule the uncovenanted officers do not apply to the India Office except by way of appeal; so that we do not hear, in the first case, of the application when made in India. I think it must have happened in a good many cases. I should think so.

2282. These alterations in the rules are rather confusing to the ordinary mind, are they not?—Very.

2283. Are they not almost traps into which the unwary may fall?—Yes.

2284. While on this point I may ask you whether you do not think that a simplification of the Pension and Leave Codes would be an advantage?—That certainly would be a great comfort to the Office.

2285. I was going to ask you that very question. Is it not a serious cost to the Government to have to conduct the enormous mass of correspondence involved in the application of such a variety of rules to such a number of classes of officers, and would it not be a judicious economy to reduce the whole of these classes to one common system of pension and leave?—I doubt whether it would enable us to put down clerks; I should doubt that; but it would prevent many difficulties from being raised.

2286. I am not threatening the establishment of the India Office. May I call your attention to the Parliamentary Paper of the 1st August 1872, the correspondence on educational questions, and to the memorial of the officers of the Educational Department on page 8, paragraph 8, in which the memorialists, who are the most distinguished officers in the Educational service of the Government of India, state that they are uncertain how far the new rules for leave apply to them, for that while the Despatch of the Secretary of State stated one thing, the resolution of the Government of India stated the exact opposite. Can you explain this?—Which paragraph?

2287. Page 8, paragraph 8?—I think that is the same point, the question of the taking of the new leave rules.

2288. I think it is. It is on the same point?—It is on the same point.

2289. But the Despatch of the Secretary of State states one thing, they state, and the Resolution of the Government of India states another?—Yes, the Despatch of the Secretary of State (and, as I say, there was more than one Despatch) said they should have the option of the old and new rules. The Government of India declined to allow officers to take leave under the old rules, but they said, you are not bound to avail yourself of the extra privileges of the new rules, and if you do not take leave in excess of your right under the old rules, your claim to pension will be maintained.

2290. And between the two these gentlemen come to the ground, do they not?—Yes, if they took the benefits of the new rules; I think it was extremely confusing. Perhaps I may just add that I believe the only difficulty was from the officers supposing that by taking leave they

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had forfeited their claim to the pension in excess of 5,000 rupees; and I do not think that they had any such claim to be forfeited.

2291. Now I come to the fifth grievance; furlough not counted for pension; grievance E?—You have heard the evidence that has been given before the Committee that 30 years' service is too long for Europeans?—Yes.

2292. Has the Government of India not made representations on this subject to the Secretary of State with reference to its officials appointed in India?—It has.

2293. Have you any evidence to offer against the contention that it would be advisable to reduce the length of service?—To count a certain amount of furlough as service for pension, so as to reduce the total?

2294. Yes?—I have nothing to say against it.

2295. All leave taken before the Rules of 1856 counted, did it not?—Yes, quite so; it was all service for pension.

2296. Before 1856 all leave taken counted as service for pension?—Yes, before the Rules of 1856 leave was only given in special cases. There were no rules. It was given when an officer could be spared, and provided no expense was caused by it. The heads of departments had the power to give the leave as they chose. There were no code rules in those days. In explanation of my note, I may say that the word "furlough" has there a specific meaning. Leave of absence was not called furlough in those days.

2297. Is it not a fact that under the Rules of 1831 as administered up to 1864, leave counted as service for pension as follows: two out of three years on medical certificate taken under the Rules of 1856?—Yes.

2298. Leave on private affairs on half-pay?—Yes, six months' leave, which might be taken twice.

2299. And privilege and subsidiary leave?—That always did.

2300. Was not the effect of these rules that three years' service at least reckoned towards pension?—If the officer had taken it under the rules.

2301. Can you give any reason why a certain amount of service should be allowed to count for pension in the case of civil engineers and others, and not in the case of other officers such as the forests, gentlemen in the Commissions and in the other departments?—It is the same question of their local appointment, I believe, that has ruled that.

2302. In fact, you wish to put somewhat of a death penalty upon people entering the local inferior service of the Government of India?—No, I am not prepared to say that.

2303. Has it not come repeatedly under your observation that officers have not been able to afford to take furlough on account of leave not counting towards pension; it must have done so, must it not?—I have no doubt it is so. I have heard several of the witnesses say that.

2304. And have not the evil effects of that rule frequently come under your observation at

Mr. *King*—continued.

the India Office?—No, I do not know that I can say that, because the witnesses who have been in the room have been very good specimens of those who are able to live there.

2305. They are the only ones who have survived possibly. Did not the furlough committee of the Government of India on the 9th September 1868, report that it was for the benefit of the public service that officers especially Europeans should be encouraged to take a moderate amount of leave?—Yes.

2306. And did they not state that the present rule is strongly prohibitive of their doing so?—Yes.

2307. Did they not suggest that of the periods qualifying for pension one-tenth should be spent on furlough?—Yes.

2308–9. And they stated, did they not, that the provision in the leave rules by which the allowances are reduced during furlough would prevent any abuse of these rules. You cannot answer that question, perhaps?—I have referred to the committee's report, and find that it is so.

2310. I am quoting from the report. Besides the instances which have been adduced in evidence before the committee of men, who, when engaged on public duty, have through exposure, or from wounds or other accidents been rendered unfit for service, and consequently have been ordered home on furlough, and have therefore been deprived of the period of their furlough as counting for service, have not very frequent cases come under your notice in which men who have sacrificed their health in their zeal for the public service have been refused by the Secretary of State the privilege of counting the time thus lost towards their pension?—I do not think there have been frequent cases of that.

2311. You know that there are frequent cases, do you not; perhaps, as one witness says, they have not applied to the Home Government, and so it would not come under your notice?—Yes; if they apply in India, and are refused under the rule, it would not come to our notice.

2312. Under this head comes a question of the rule for compulsory retirement at the age of 55?—Yes.

2313. Will you state in what year that rule was first mooted, in what year it was extended, and in what year it was finally put into force?—In September 1864 the Government of India proposed that the principle of the rule under which covenanted civil servants were required to retire on the completion of 35 years' service, should "be extended to military and naval officers in civil employment, and also to uncovenanted officers;" and, accordingly, a notification was issued, by desire of the Secretary of State, announcing that after the age of 55 no such officer should be appointed to a new office, or be permitted to retain one which he had held for five years. The rule was, however, to be subject to special exceptions under the authority of the Secretary of State. In 1871 the Government of India modified this rule by declaring that all uncovenanted servants should be required to retire at the age of 55, but that the Local Government might permit them to continue longer in service, the previous sanction of the Government of India being required when it was proposed to retain an officer beyond 60 years of age. The Duke of Argyll thought it questionable whether such a rule should be applied to natives of India. The Government of India, however, pressed very strongly for its adoption; and the Secretary of State thereon waived his objection, saying, however, "I trust that the various governments and administrations will always be disposed to extend to this rule a very liberal interpretation, and that the State may in no case be deprived of the valuable experience of really efficient native officers, by the untimely exercise of the powers of compulsory retirement on pension." The Government of India has not limited this to natives; the orders quoted on page 120 of the Civil Service Regulations show that the intention is to be lenient with uncovenanted officers, of whatever age, if efficient. In 1877 the uncovenanted officers were, on their side, allowed to claim, at the age of 55, the superannuation pension which would have been admissible if they had been retiring with a medical certificate. In consequence of the block of promotion in the Public Works Department, the Government of India were in 1883 authorized to call on an officer to retire if he should not, at the age of 50, have attained the rank of superintending engineer, unless they wished to retain him on special grounds. In March 1885 the rule of retirement at the age of 55 was made general in the public works and telegraph departments.

2314. Will you state in what year the rule was first mooted?—It was first raised in 1864.

2315. In what year was it extended, in 1871?—In 1871.

2316. And was it finally put in force then?—It was put into force in 1871.

2317. Has not that rule operated harshly in the case of men who enter the service under rules which practically held out to them the prospect of putting in their full service for pension?—I think very likely that it has.

2318. You heard the case of Mr. William Smith?—Yes, Mr. William Smith has one of the largest pensions that has ever been given.

2319. I am very glad to hear it. In the case of Mr. William Smith, it was given in evidence before the Committee that he was a man who had secured under his covenant the right to put in his full service?—No, the point that Mr. Smith's covenant secured to him was the right to be paid a pension calculated on his average salary.

2320. You are quite correct, it was the salary; but that salary was based upon his service?—It was based upon the receipts of the last five years.

2321. But it was one-third (speaking from memory), after 20 years, was it not, and one-half after 25 years; or one-third after 25 years, and one-half after 30 years?—I think the covenant was one-third after 20 years, and one-half after 30 years.

2322. Something like that?—Something like that.

2323. His

Mr. *King*—continued.

2323. His contention was that he was retired under the 55 years of age rule arbitrarily, that whereas his covenant gave him the assurance of permanent employment (that is the point), he was retired before he had qualified for the highest pension?—Yes, I understood his contention, but I do not think "retained in the service of the company" meant that he should be entitled to go on as long as he pleased. I do not think he has more claim than any other officer. In the first place, he was subject to a notice that might be given for the termination of his service at the expiration of 12 calendar months.

Friday, 25th July 1890.

MEMBERS PRESENT:

Mr. Barbour.
Mr. Bristowe.
Mr. Buchanan.
Sir John E. Gorst.
Mr. King.
Mr. MacNeill.
Mr. Alfred Pease.
Sir William Plowden.

THE RIGHT HONOURABLE SIR JOHN E. GORST, IN THE CHAIR.

Mr. HENRY WATERFIELD, C.B., again called in; and further Examined.

Mr. *King*.

2324. BEFORE I resume where we left off yesterday, there are one or two points I want to clear up by some questions; will you turn to page 38 of the Case that was put in?—Yes.

2325. You will notice there is a copy there of the Resolution of the 14th October 1871?—Yes.

2326. That Resolution states that "The remuneration of officers of the Government may be thus classified:—Immediate: their pay and allowance while on duty. Contingent: their absentee allowances. Deferred: their pensionary allowances?"—Yes.

2327. Do you consider that pension is deferred pay?—For the particular purpose of that resolution I should say it was an accurate classification. The object of that resolution was to ascertain, when an officer was lent to a Native state, or a local fund, how the contribution by that native state or local fund should be assessed, in order that the Government might be put to no expense in consequence of the loan of his services; and the Government held that it would not be sufficient for the Native State to contribute merely the proportion of his pay, but that it must also contribute a portion of his furlough allowances and his pension, and the total contribution to be made by the State was taken on a sort of rough actuarial calculation of what would cover those three charges: salary, furlough pay, and pension.

2328. But surely the same regulation refers to the Government's own payment of its servant?—No, I do not think so; because you must remember that the condition on which the Government employs an officer gives that officer no right to deferred pay as pension. Suppose he dies before he comes on to the pension list, his family get nothing. It is quite a different thing from the deferred pay paid by the State in the case of the soldier, for instance.

2329. It is something like a tontine policy, of course?—Yes.

2330. You would agree, at any rate, would you not, to the extent to which Mr. Justice Chitty went, when he said that "The system of pensions was a sort of deferred payment of wages." That was in his judgment in the case of the East and West India Dock Campany and the St. Katherine's Dock Company, in February 1889?—Yes, "a sort of deferred payment of wages." I do not object to that.

Mr. *King*—continued.

2331. That is a definition which appeared in several editions of the code, but was struck out in the last edition; can you tell the Committee why?—I was not aware of the fact that it had been struck out; but I suppose the reason is that it appeared in the appendix to the code merely as a guide to the officers of account to see what charge was to be made when an officer was lent for what is technically known as foreign service, and that it has now been omitted as having nothing to do with the grant of the pension.

2332. Will you look at page 39 of the Case which you have before you?—Yes.

2333. I direct your attention to the Despatch of Lord Dalhousie, in which it says that "though an increase of uncovenanted officers in the Department of Public Works is very much needed, it is difficult to retain their services, in consequence of pensions not being allowed;" that was in the year 1854, was it not?—Yes, that is so.

2334. "And it is finally stated that they have great opportunities of making money dishonestly, and that strong temptation to do so is now placed in their way, in consequence of moderate salaries and the want of pensions leaving them no other means of providing adequately for themselves in case of bad health or in old age." Can you say whether that view has been urged since?—That view was adopted by the Court of Directors in admitting the public works officers to pensions. Since that date, that is to say, since the pension rules were revised in 1862, all officers of the Government have become entitled to pensions, provided that they were on the superior service.

2335. And from that date they became entitled to pension, provided that they were on the superior service?—They became entitled to pensions. Their right to pension was recognised.

2336. But the view has been urged, has it not, in Despatches, that it would be a danger to have too low pensions or too low pay?—To have "too low," certainly. I do not think that to have no pensions

Mr. *King*—continued.

pensions has been urged as a danger, because I do not think there has been any question as to having no pensions.

2337. Too low pensions?—As to "too low pensions," there has been some representation made of the kind you suggest.

2338. May I direct your attention to page 45 of the same case?—Yes.

2339. You notice Sir Rivers Thompson's Despatch there, do you not?—Yes.

2340. I want to direct your special attention, and that of the Committee, to paragraphs 2, 3, and 4 of that Despatch, and specially to the words, "he has reason to believe that the question of loss by exchange, in so far as it affects the prospects after retirement of those officers whose pensions are payable in rupees, is one that is being discussed very generally, and is causing a considerable amount of discontent" This was written in 1886, was it not?—Yes.

2341. He then says that in his opinion, "there is much to be urged in favour of the contention of the memorialists, that the Government is in some measure bound by the terms of the prospectuses published from time to time for the information of intending candidates, and of the earlier pension rules for uncovenanted servants, wherein it was customary to state the alternative values of salaries and pensions in rupees and in sterling, the rupee being in all cases taken to be equal to 2 *s.*"?—Yes.

2342. And further down, in paragraph 4, he states: "There is, however, another consideration which demands notice, and that is as regards the efficiency of the service. In order to improve the position and prospects of Civil Engineers in the Public Works Department, large concessions have lately been granted to them" (that is to officers of the public works), "in the matter of pay and pensions, one object of which was to accelerate retirement, and thereby improve the efficiency of the service. But it is certain that nearly all the benefits expected from these concessions will be neutralised by the depreciation of the rupee, unless the further concession prayed for in these memorials, to make the pension also payable in sterling, be also granted"?—Yes.

2343. Then he goes on to point to some other disadvantages. What position did Sir Rivers Thompson hold?—He was Lieutenant Governor of Bengal at that time.

2344. And was not he a very experienced Indian civilian?—Yes.

2345. Has his experience been confirmed by other experienced Indian civilians?—I do not think there is any paper so strong as that, but there may be.

2346. Are there some in the same direction?—I think some official opinions have been recorded in the same direction.

2347. I did not quite understand you yesterday when we were discussing this question; you remember, the question about "being entitled to pensions"?—Yes.

2348. The expression "entitled" I mean?—Yes.

2349. I understood you to say that that was an unfortunate expression used by the Government of India?—Yes, I referred to it as their expression.

Mr. *King*—continued.

2350. I thought I did understand you, but I draw your attention to the fact that it was not the Government of India that used the expression. It was used in a Despatch of the Court of Directors to the Governor General of India in Council?—It is a Despatch of May 1854, is it not?

2351. No; the date of it is the 28th February 1855?—Yes, 28th February 1855.

2352. I wish again to draw your attention to the exact wording of that Despatch, because it is the Court of Directors who are writing. They say, "You have also brought to our notice that the Pension Rules of 1831 appear to require some amendment, especially in regard to the cases of highly paid appointments of from 1,000 *l.* to 2,400 *l.* per annum, the occupants of which appointments if invalided after 30 years' service, are entitled, under the present rule, to receive a half pension varying from 500 *l.* to 1,200 *l.* per annum, whereas the covenanted servant, after 25 years' service, receives a pension from the Government of only 500 *l.* per annum in any case"?—Yes.

2353. What I wanted to draw your attention to first, was, that that was not a Despatch from the Government of India, but of the Court of Directors?—A "recital from a Despatch of the Government of India," I think I said.

2354. Then it appears that both parties were of the same opinion, does it not?—No, I do not accept that. I do not wish to lay stress on my objection, because I do not know that the Court of Directors had any intention of disputing it. I only say that the word "entitled" is used in the part of the Despatch in which they were professedly reciting the opinion of the Government of India.

2355. What I want to ask you is, whether the India Office have noticed that this Despatch was written nine months after the Despatch of the 5th of May 1854, on which you base your statements that those pensions were not claimable of right?—Yes.

2356. And that therefore, apparently, in those nine months the Court of Directors had reconsidered the matter, and had come to the conclusion that the gentlemen were entitled?—Oh, no; I do not accept that at all.

2357. But it certainly is an interpretation, which, on the face of the documents, would appear to be justified, is it not?—No, I do not think that this qualifies the Despatch of May 1854.

2358. I cannot put it further than that; but I should like to ask you this: If your interpretation of the Company's rules is correct, can you explain why it was necessary, in February 1855, to reduce the limit at all?—They only did so for the future.

2359. Is it not the fact that the Governor General in Council could have done it according to your views without any alteration of the rules, under the Rules of 1831?—Yes; for the future, that is, for persons to be subsequently appointed, they said no one should have the excess. If I may explain my view of it, it was a restrictive Despatch. They did not say that officers already in the service might not have specially large pensions, but they said: In future no one hereafter entering the service shall have a specially large pension.

 2360. I know

Mr. *King*—continued.

2360. I know they introduced words as to those specially hereafter appointed?—I think that is the only effect of that Despatch. I do not think it has any other effect than to lay down what was to be the rule in the future. I do not think it affected the men who were in the service already.

2361. And as to those people the Court of Directors said they were "entitled"?—No; they referred to that as being the opinion of the Government of India.

2362. There are the words of the Despatch. I refer you to the Bengal Educational Officers' Memorial which appears in the Parliamentary Papers of 1872?—Yes.

2363. It is stated there that the new Leave Rules of 1862 conferred "furlough on allowances so small as to have been accepted during five years by only one person among the thousands of uncovenanted servants in the Bengal Presidency"?—I have the memorial, but I have not the passage at the moment.

2364. I think we may assume that the words I have noted are accurate. The only question I was going to ask you is whether that did not show that the furlough rules were not good enough for natives?—The passage is in paragraph 7. These are the words: "While the only benefits they confer are (1st), a furlough on allowances so small as to have been accepted during five years by only one person among the thousands of uncovenanted servants in the Bengal Presidency."

2365. I simply ask you whether that does not show that the furlough rules were not good enough even for natives, because of course, that "thousands" covers the natives as well as Europeans?—I presume that the memorialists meant the "furlough" to apply to visits to England, and of course the natives would not avail themselves of furlough to come to England.

2366. They would not use the word "thousands," would they, unless they intended it to apply to natives as well as to Europeans?—The natives would not take furlough, as a rule. They would avail themselves of the ordinary annual holiday. Furlough refers to officers going away from India on long leave, in that passage, I think; therefore it is a little misleading to speak of "thousands" not availing themselves of it. They naturally would not.

2367. You think that that was a misleading statement?—It was a confusion, I think. My belief is that it was not a question of the allowances being small which prevented the natives taking what is there called furlough.

2368. You would be quite justified no doubt, if that view is correct, in the reading you put upon it?—Yes, that is the interpretation I should put upon it.

2369. Now, to resume where we left off yesterday: I had got as far as the 1855 rules and compulsory retirement under them, and the effect that that had had on many officers by its restrospective action?—Yes.

2370. I now want to ask you, were not a large number of engineer officers compulsorily retired in 1879 under this rule?—No, not under this rule.

Mr. *King*—continued.

2371. Not the 1855 rule; but there were a great number of compulsory retirements, were there not?—There were a great number of compulsory retirements. It was a special measure altogether.

2372. Was any compensation given to those officers?—Yes.

2373. What was the compensation? — They were offered a special scale of retirement, with a gratuity not exceeding 12 months' pay.

2374. I think that is so, one year's salary?—The case that occurred was this: Owing to the sudden financial pressure, the Government of India found it necessary to restrict their operations in the Public Works Department, and something like 20 per cent. of their staff were thrown out of employment. The Government of India offered, to anyone who liked to retire voluntarily from the public service, a particular scale of pension, ranging from a forty-fifth to a sixtieth part of his emoluments for each year of service that he had, with a gratuity. They then told a great many of the officers that they should not have employment for them, and advised them to voluntarily apply for this scale of retirement. It was a compulsory retirement which they were obliged to take voluntarily; I do not think it is a grievance under the pension rules, because it was a special measure of reduction, where employment had ceased; and it was done in such a manner that (whatever is thought of the action of the Government) I suppose every man who retired under it did apply voluntarily, otherwise he would not have got those terms; so that I hardly think it comes as a grievance under the pension rules.

2375. I venture to suggest to you that those gentlemen, by this action on the part of the Government, were prevented from completing their service for the maximum pension?—Certainly they were.

2376. And, in so far as that is concerned, they have a very distinct grievance, have they not?—Not under the pension rules. I quite agree that they have a very great grievance, but I do not think it arises under the pension rules. I think it arises from the necessity that existed at that time for economy.

2377. And which was to be practised at their expense?—By the action of the Government.

2378. And this economy was to be practised at the expense of the service of India?—Yes; I think it was a very great hardship, but I do not think it was under the pension rules.

2379. Was it ever contended that there was any inefficiency on the part of these gentlemen?—Not at all.

2380. On the contrary, they were simply retired from motives of economy?—From motives of economy. We do not know how the Government of India selected the officers.

2381. Can you give any other instances in the English public service in which compulsory retirement, under such circumstances, was not amply compensated, either by gratuities or by adequate pension?—I believe it has been the rule

Mr. *King*—continued.

rule to adopt a similar practice, to give the pension admissible on medical certificate, or even some increase of pension, and sometimes with a gratuity also.

2382. Do you know of any instance in the covenanted service in which a man has been compulsorily retired without full compensation for his loss?—I do not know of any instance in which an officer of the public service has been retired compulsorily at all, except from misconduct, without compensation.

2383. Were not most of the men thus retired past the middle age, and, therefore, was it not difficult for them, practically, to get any other employment?—Certainly.

2384. Does the Secretary of State claim the right to compulsorily retire men under covenant, or men who are gazetted into the service by an *ex post facto* rule?—You are speaking of officers in India, are you not?

2385. Yes?—I do not think the Secretary of State has ever put forward such a claim; but I suppose there is an inherent right in every Government to cease to employ its officers when it has no longer any occasion for their services. The only point is whether adequate compensation is given on the termination of their service.

2386. That is the whole point, whether adequate compensation is given?—Yes; whether adequate compensation is given.

2387. Has the Government of India made strong representations to the Secretary of State against creating an invidious distinction with regard to pension and leave rules between men appointed in England and men appointed in India?—Yes.

2388. May I refer you to a despatch of the Government of India to the Secretary of State, No. 227, of the 4th October 1870, in which they say that "the financial gain of treating the uncovenanted service less liberally, in this respect, than the rest of our officers would not in any way compensate for the sense of wrong caused by making an invidious distinction between officers doing perhaps the same duty, and at any rate receiving the same salaries, merely because they belong to different classes"?—Yes. It is in the 20th paragraph.

2389. But with that view the Secretary of State has not hitherto agreed, has he?—No. Shall I read his reply?

Chairman.

2390. Have you his answer?—Yes, it was answered.

2391. Will you read the answer?—Yes. The despatch in reply was dated the 6th December 1871. The "different classes" meant the officers appointed by the Secretary of State and officers appointed by the Governments in India, and the answer which was given by the Duke of Argyll on the 6th December 1871 was this: "Paragraph 2. I am glad to find that you concur in the principle that natives of India should be more generally appointed to offices the duties of which they are competent to discharge, and that offices to which it is desirable to appoint persons not natives of India, and for which special technical and professional qualifications are not required, should be, as far as practicable, held

Chairman—continued.

by covenanted civil servants or officers of the staff corps. 3. It is obviously desirable that an increasing proportion of uncovenanted officers should be natives of India, and also that the principle which has been hitherto so eminently successful in operation should be, as far as possible, maintained, of vesting the first appointment of such Europeans as may be destined for the higher branches of the service, whether covenanted or uncovenanted, in the authorities in England, leaving all promotions to be made by the authorities in India. It would be a violation of these principles to encourage the creation of a highly paid English service in India, the first appointments to which would be vested in the local governments." Then, after referring to the nominal lists that were required, he said in paragraph 6: "It is no doubt difficult to devise rules to meet all the cases of European and Eurasian uncovenanted servants, who have obtained their first appointments in India. Saving such reasonable concessions as I am willing to grant to actual incumbents, I desire that it may be regarded as a general principle, not hereafter to be departed from, that all Europeans appointed in India to offices which could be fitly held by natives, should receive no greater advantages of any kind, furlough of course included, than would be enjoyed by natives holding such posts or offices. 7. With regard to those uncovenanted servants who are appointed in England to offices for which they have special qualifications, the case is different, and I have already expressed my willingness to allow them the benefit of more favourable rules. This benefit is also due to those Europeans who, for special reasons, may have been, or, with my sanction, may be hereafter appointed in India to certain exceptional posts."

Mr. *King.*

2392. That would appear to limit it to the case of Europeans holding posts which natives are fit to fill?—Not the last sentence; paragraph 6 referred to that; paragraph 7 referred to posts for which the natives were not fitted.

2393. Surely that would cover the posts of the police servants who are mostly appointed there, would it not?—If the Government of India had acted upon that despatch, they would have asked the Secretary of State to appoint officers to the higher grades of the police service.

2394. Would not that despatch exclude the police service, practically, from that rule as persons holding office which a Native is not fit to fill?—It left it for the Government of India to determine whether they considered the police department (amongst others) to be a department which must be filled by Europeans necessarily, or which might be filled by either Europeans or natives appointed in India. The Government of India have elected to fill it by the appointment of Europeans and Natives appointed in India.

2395. Now I will turn to the furlough rules. I see you mention short leave; that is privilege leave?—Yes.

2396. And you state that all officers have an annual holiday equal to one-eleventh of the continuous service they have rendered?—Yes.

Mr. *King*—continued.

2397. In point of fact, is such leave ever granted except in cases where it is possible during the short period of the officer's absence to provide for the discharge of his duties without any cost to the public service?—Yes, the privilege leave is given as a matter of right when an officer claims it, provided that his duties can be carried on. If the leave is only taken for one month, and the duties can be carried on without making an acting appointment, there is no charge on the State, but, if it is the accumulated leave, which may amount to as much as three months, an acting appointment may be made; but that does bring an extra charge on the State.

2398. An extra charge on the State?—Yes, it is possible that it may.

2399. As a rule, it is paid for by the person taking the privilege leave, is it not?—No; the person taking the privilege leave receives his full pay, but to prevent that being too expensive the Secretary of State not many years ago ruled that no acting appointments should be made (unless under special circumstances) for the first month of an officer's absence; for the second and third months an acting officer may draw pay.

2400. Privilege leave, in fact, is similar to the leave that is given in a bank, or in any private firm or public office here?—Yes, quite so.

2401. A month's holiday?—Yes, only with the power of accumulation.

2402. The other clerks have to do the work while he is away?—As long as it is limited to one month it generally is so.

2403. You make a distinction between short leave and long leave. Will you explain what you mean by that?—The short leave means the annual holiday; the privilege leave means the long leave, for which there are special rules, which admit of the officer coming away to England or taking leave in India, with special pay.

2404. But you divide that long leave into two; you divide it between that applicable to the European service, and that applicable to the native or local service?—Yes.

Mr. *Barbour*.

2405. But the usual short leave is a month, I understand?—The short leave is a month; but it has this peculiarity, that it may be accumulated. If an officer takes no leave for three years, he may take three months at the end of that time.

2406. Then the long leave is three short leaves?—No, the long leave is of a totally different kind. The long leave may be as much as two years at a time.

Mr. *King*.

2407. Do you consider that Deputy Commissioners (like some of the gentlemen who have come before us) who are discharging the duties of covenanted civilians, should be classed with natives in regard to furlough?—It depends entirely upon the nature of their appointment. If they were appointed from England, they would come under the European service rules. If they were appointed from India they would come under the Indian service rules.

2408. Perhaps that is a matter of opinion?—I do not quite understand whether you were asking me my opinion, or asking me as to a fact.

2409. I was asking your opinion, and I had no right to ask your opinion. You state that in 1868 the Government of India proposed to assimilate the furlough rules of uncovenanted officers?—Yes, of civil officers generally.

2410. Officers generally; do you mean as nearly as possible to those of the covenanted service?—As nearly as possible.

2411. That has been granted in certain cases; to the local service that has been granted, has it not?—It has been granted with slight modifications (the chief one being the limit of pay) to the European services.

2412. As regards the "covenants," which is the last part of your memorandum, I see that under this head you discuss the clause containing the covenants that "in all payments to be made under these presents, the £ sterling shall be considered equal to and calculated after the rate of 10 rupees"?—Yes.

2413. Can you state what was the object of that proviso in the covenant?—Primarily, I think there is no doubt it was to settle the amount of the salaries when those salaries were expressed in sterling. In the earlier covenants which expressed the salary in rupees, there was no such clause. When the salary was expressed in sterling, a clause was put in "that in all payments to be made under these presents, the £ sterling shall be considered equal to and calculated after the rate of 10 rupees." Therefore, if it was stated that an officer had a salary of 300 *l.*, it followed that he was to be paid 3,000 rupees in India; but there were other payments that might be made in sterling, and, in fact, were made before the officer went to India, and in some cases those had to be recovered in India; and the clause was therefore drawn, I think, in that form, "all payments to be made under these presents," in order to include those.

2414. You do not think it was, in fact, intended to protect the East India Company or the Government, against a rise in the rate of exchange?—Oh no, I do not think it had anything to do with the exchange, except as a specification of what number of rupees was to be received by an officer as his salary, or deducted from his salary as an equivalent of the payment in England. Shall I explain the nature of those payments? I mean this: An advance of salary was given to an artisan, 30 *l.*, perhaps; but it was only on account of his salary. It had to be recovered when he arrived in India, in instalments; 300 rupees was thus shown to be the amount that had to be deducted.

2415. You do not think it was in any way to protect the company against the possibility of having to pay over 2 *s.* to the rupee?—I do not think it had anything whatever to do with that.

2416. It would have had that effect at any rate, would it not?—No; I do not quite see how it could affect that. The main question was what amount of salary was to be paid; it had nothing to do with payments to be made subsequently in England, for they did not come into the covenant. The covenant was for five

or

Mr. *King*—continued.

or 10 years as a rule. No furlough or pension rights accrued under that clause of the covenant, except in so far as it has been held since that it may have been so; but primarily it was not intended to include those, I feel certain.

2417. Is it not a fact, whatever you may think was primarily intended, that in almost all cases in which this proviso was inserted in the covenant, the men have been paid their furlough in sterling at the rate of 10 rupees to the £.?—Yes, under recent legal advice.

2418. Therefore in the case at any rate of furlough, it would protect them against a rise in the rate of exchange?—Yes. You were asking me what it was intended to do; I say it was not intended to protect them against any rise in the rate of exchange. I do not think it was intended to have anything whatever to do with furlough pay or pension.

Mr. *Barbour*.

2419. How could it be to protect the company against the rate of exchange. We have documents put in here showing quotations of the official rate of exchange above 2 *s.*?—The question which Mr. King put to me did not refer to payment at the official rate of exchange. He is speaking of the particular clause in the covenant which states that payment should be made on the basis of 1 *l.* being equal to 10 rupees. It had nothing to do with that official rate; that came into force, as applicable to pensions, at a subsequent date altogether.

Mr. *King*.

2420. Although certain gentlemen have been allowed to draw their furlough pay in sterling at the rate of 2 *s.* to the rupee, it has been constantly declined as to pension, has it not?—Yes.

2421. But in most of the covenants the clauses as to furlough and as to pension follow one another, do they not?—Yes.

2422. Would not this lead any candidate who was entering into the covenant to assume that, both as regarded furlough and pension, the settlement would be made in sterling?—I cannot say what it would lead a candidate to assume; but in every case in which the pension rules were published the clause was inserted that pensions could only be paid in England at the official rate of exchange; and all he was entitled under his covenant to have was the pension rules of the Uncovenanted Service, or of the Public Works Department, as the case might be.

2423. Would it not have led you to think so (if you had read it without your immense experience) as a young man?—I think I should have asked what those rules were, and looked at them; and certainly if I had read them through I should not have been misled.

2424. You are a specially able man?—I do not suppose that candidates generally do read all the rules, when first appointed.

2425. There was a very interesting memorandum which you circulated; it is signed "H. W."?—Yes.

2426. I want to ask two or three questions upon it. There was a memorial of the uncovenanted servants presented in 1886. One of

Mr. *King*—continued.

the requisitions was that the maximum limit of pension should be raised above 5,000 rupees?—Yes.

2427. And that that maximum pension payable in England should be paid in sterling?—From which page are you reading?

2428. Page 11?—Yes, you are quite right; it was one of their requisitions, in 1886.

2429. The Government of India did not support that application, did they?—No.

2430. But later, in 1888, what recommendation did they make?—They recommended that a maximum of 500 *l.* should be fixed for those paid in England.

2431. The matter of fixing a minimum rate has been under the consideration of the Secretary of State and the Government of India, has it not?—Yes, a minimum or a fixed rate.

2432. I will not ask what the minimum was. There was a despatch in 1886 which contained certain recommendations. Will you just briefly, without reading the whole despatch, state what they were?—From India?

2433. Yes; will you state briefly what the recommendations were?—There were four recommendations. The Government of India recapitulated their proposals in the following manner: "I. That, besides privilege leave, one year's leave with allowances in 15 years' service, and two years in 25 years' service, be allowed to count as service for pension, provided that such leave is taken out of India. II. That a graduated scale be fixed for invalid and compensation pensions, rising by increments of one-sixtieth for each year of service, from ten-sixtieths of average emoluments after 10 years' service, to twenty-four-sixtieths after 24 years' service, the present scale of half average emoluments after 25 years' service remaining as at present. III. That the age for the commencement of qualifying service be lowered to 21 years. IV. That officers drawing less than 100 rupees a month be declared eligible for privilege leave in the same manner as officers on higher pay."

2434. The date of that is 1886, is it?—It is a despatch of the 21st August 1886.

2435. I want to ask you two or three questions now with regard to the civil engineers who come separately before this Committee; the first is, whether it is not a fact that a circular, dated Simla, 6th October 1869, which has been referred to several times (No. 84, Public Works Department of Simla), was the outcome of the discontent of the Department?—No, I think it was not. I believe it was the outcome of an order, dated 31st August 1869, prohibiting civil engineers from receiving fees, or from receiving commissions on work. The civil engineers thought it was a slur on their body, and remonstrated with the Government; and the Government of India issued the Order of October 1869, to explain that they had the very highest opinion of the body of civil engineers, and had not intended to cast any slur upon them, and that, on the contrary, they were doing the best they could to make their emoluments equal to those of other officers engaged in similar duties.

2436. But there had been great discontent in the service prior to that, had there not?—Yes;

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I do not say that there had not, but I say that that circular was not the outcome of that.

2437. It only followed after it, you think?—I believe it was the outcome of the prohibition of commissions.

2438. I say it simply followed after the discontent, did it not?—It was not issued in consequence of it, I think.

2439. Does not the third paragraph of that circular, coming as it does immediately after the paragraph as to the taking of commission, appear to be a recognition of the accuracy of the statement that the civil engineers were underpaid?—I do not know that it does.

2440. I will not argue it?—It implies that the civil engineers were not to be treated as a department subordinate to the Royal Engineers, but I do not think it says that they were underpaid. The circular says: "So far from there being at the present time any disposition to depreciate the value of the services of the civil engineers, the Government of India has lately had before it proposals, which it is hoped will take early effect, for improving their position generally, and placing them in respect to the emoluments on precisely the same footing as all other officers employed on the same duties."

2441. Why should the Government be considering a proposal, then, for improving the position generally of the civil engineers?—That, no doubt, was the outcome of the discontent. The Government of India's endeavouring to improve their position was the outcome of the discontent, I think.

2442. What do you consider the words, "placing them in respect to the emoluments on precisely the same footing as all other officers employed on the same duties" mean?—I think the Government of India was anxious that the civil engineers should not be in any way a subordinate or inferior service to that of the Royal Engineers or the military officers who were serving in the department, and that it was intended to put them as far as possible on an equality.

2443. And that would have involved at least the following, would it not: freeing them from the loss attendant upon the fluctuation of the rupee?—No, I do not think emoluments refer to anything more than pay.

2444. You do not consider that emoluments include pension?—Oh, no; not used in that way. I do not think it has any other meaning than pay. It is a technical word used in India, to include pay, personal allowances, and other special allowances.

2445. Would it not cover better leave rules?—I do not think it at all follows that it would. I am not saying that the Government of India were not anxious to secure that. I think they wished to get better leave rules for the civil engineers; but I think that the word "emoluments" in that circular had no reference to anything but pay.

2446. You interpret "emoluments" as meaning strictly pay, do you?—I do not say it may never be used to include furlough and pension, but when used in a purely general way I think it refers to pay.

2447. The authorities have never warned candidates of the difference between the Civil Engineers and the Royal Engineers, have they?—I do not think there was any circular telling them that they were not to be on the same footing.

2448. Is it not a fact that the Roorki and other Indian College, and other Indian-appointed men can rise to the top of the Department, and that some of them now hold appointments which involve Cooper's Hill men and young Royal Engineers being in a subordinate position to them?—I believe it is; I am not able to answer in detail about the Public Works Department, but I think that is the case.

2449. Can you give any reason to the Committee which you think sufficient to justify the putting of these men on a different footing to the rest of the Civil Engineers?—It is purely a question of their being appointed in India.

2450. Purely a question of policy. Did they not expect to come under the general rules?—The Roorki College men?

2451. Yes?—I do not know what expectations they had. They had nothing to show that they were to receive the special privileges that were given to European appointments.

Sir *William Plowden.*

2452. I suppose we may take it for granted that the real difficulty in this matter of the uncovenanted service and pension rules has arisen from the manner in which the uncovenanted service has been constructed?—Yes.

2453. As a matter of fact though there were men in high appointments in the Indian uncovenanted service as far back as 1854, before 1854; there was no great body of uncovenanted servants at that time?—There was a large body of men, but there were very few drawing high salaries.

2454. There were men in receipt of large allowances at that time, but they were exceptional appointments?—Quite exceptional; for instance, such a case as that of Mr. Elliot, which I have mentioned.

2455. May we also take it, that in your opinion, and as a matter of fact, those peculiarities in the difference of treatment of various branches of the uncovenanted service have grown up with the growth of the uncovenanted service?—Yes.

2456. And that they are caused by the want of system in the formation of the uncovenanted service?—Yes, I think so. I have already explained to the Committee that it is to a great extent the question of patronage which has caused the difference of treatment, that is to say, the question whether the appointment was made in India or in England; much of the different treatment which arises comes from that policy.

2457. May we take it that it really was due to the determination on the part of the authorities in England to disallow as far as possible the exercise of patronage by the local governments?—To the higher posts?

2458. To the higher posts?—Yes.

2459. You were asked some questions in regard to the Duke of Argyll's despatch, where he recognises the fact that the rules for the uncovenanted service should be based mainly on the requirement of the native service, but in which he pointed out that where men had been sent up to appointments which could not be well held

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held by native officers they might be subjected to different treatment in regard to their furlough and pension?—Yes.

2460. And you were asked whether this did not cover the case specially of the police?—Yes.

2461. Now is it not the fact, that men entering the police force in the various presidencies enter appointments which are open to natives?—Quite so.

2462. And it would only apply to cases in which, if a man had been appointed to one of the higher appointments in that office, he would hold an appointment not open to natives?—Appointed by promotion to such posts, do you mean?

2463. If they were promoted they would have been promoted from the lower grades, where the natives are in the same position, and on the same footing, would they not?—Yes.

2464. Are you aware of instances having occurred of men having been sent out from England, or been posted in India, to the higher appointments of the police without any previous training in those lower appointments where they are on the same footing as natives?—I am not aware of any; but I should, perhaps, not know if there had been; I do not recollect ever hearing of such a case.

2465. You may take it from me that there is no such case; then, in regard to a distinction which was drawn, and a comparison which was made, between the uncovenanted service treatment and the covenanted service treatment, in regard to furlough and pension, it was put to you that there was a branch of the covenanted service which was treated in a different fashion to the remainder, the statutory civilians?—Yes.

2466. But is it not the fact, that the statutory civilians are, to the covenanted service, very much what the uncovenanted service is to the covenanted service; that they are appointed without competition; that they are purely a nominated service; that they do not enter the service on the same favourable conditions as their brother members of the covenanted service, and that there is at the same time a certain number of native gentlemen who belong to the uncovenanted service, who have gone in under competition, who are on exactly the same footing as their European brethren in the covenanted service?—That is so.

2467. There is a very curious expression used in one of the despatches to which you were referred, I think it is No. 67, of the 4th September 1854, from India, where the supposed benefits to be conferred upon the uncovenanted service by the rules then in existence (the rules of 1831), were referred to by the Government of India, and where they put it that, though those rules were supposed to confer greater advantages on incumbents, they were supposed to confer greater advantages than the incumbents had any good reason to expect?—Yes.

2468. Does not that point to the fact, that at that time the inconvenient and awkward wording of the rules was fully recognised by the authorities as possibly leading the service to anticipate advantages, but which advantages they would not receive?—Yes, I think so.

2469. On the abstract case, there is no reason why different branches of the service, appointed in the same manner, should not receive absolutely the same treatment, is there?—Are you speaking with regard to furlough, or to pension?

2470. To either, or to both?—I do not think I can give an unqualified answer to that. There are points in which differences are made, such as the minimum furlough pay, for instance, I should not like to give, on the part of the India Office, an answer to the effect that they must necessarily all be on the same footing. Taking it very generally, as an abstract view, I think I might assent to it.

2471. It is as an abstract view that I put it to you?—Yes, I think in a general way I might assent to that; but there are so many differences that arise as to minimum and maximum pay, and questions of sterling pensions and rupee pensions, that I should be rather afraid of saying too much on that without examining the point.

2472. If the proposals of the Public Service Commission are accepted, a great portion of the difficulty in connection with the uncovenanted Civil Service furlough rules and pension rules will be got over, will it not?—I think so. I do not think that all the officers' grievances would be removed by it; because many who are now claiming the better treatment would find themselves relegated to the local service very likely.

2473. Can you explain why it is that the service before certain years of age is not allowed to count in some branches, and is allowed to count in other branches?—The cases in which it is allowed to count are those where the officers have been sent out from England.

2474. But is it not the case that it is allowed to count in many instances where officers have not been sent out from England?—I think only in very exceptional cases. I was mentioning yesterday the case of the telegraph signallers, and there is the case of the hospital assistants; but I think those are under special circumstances. Speaking in a general way, officers appointed in India are not allowed to count service before 22 in any branch.

2475. In the Marine Department, are they not?—That is not part of the uncovenanted service; it is a different kind of service altogether.

2476. You would not call it part of the covenanted service?—No, it is under the Military Department. It is, of course, distinct from the Army, but it is a special service under rules framed by the Military Department.

2477. Do the men enter the service under competition?—I think they are nominated by the Secretary of State, if I remember rightly.

2478. From England?—From England. I know that there was a batch of them nominated lately (I believe they always are); six or seven men were appointed recently.

2479. There is the case of the Postal Marine Service?—The Postal Marine Service is uncovenanted. That is different.

2480. They are nominated by the Local Government?—They are nominated by the Local Government.

Sir *William Plowden*—continued.

2481. But they are allowed to count from an earlier age their period of service towards pension, are they not?—I was not aware of that. I will not contradict you, but I did not know that it was so.

2482. It has been brought out in evidence before us that it is the case?—I think the gentleman who spoke on the part of the Postal Marine complained that he did not get the advantage which the Indian Marine did.

2483. There is another gentleman who complained that he did not get the advantage which the Postal Marine did get, though he was exactly on the same footing, and I think employed on the Somali Coast, while these men were employed in the Red Sea and between Bombay and Suez?—I thought he complained that he did not get what the Indian Marine got. I do not wish to contradict you; I may have misunderstood him.

Mr. *Arthur Pease.*

2484. Some of the officers have covenants, have they not?—Yes.

2485. Are the covenants restricted alone to those who are appointed in England, or are they applicable to different classes?—I believe that none of those who have been appointed in India have received covenants.

2486. None have received covenants?—I think not.

2487. And all those appointed in England, have they?—Oh no, not all.

2488. What are the grounds for giving the covenants. Are they given in certain classes?—No; the covenants began, I think, with the civil engineers, who about the year 1855 were sent to India, being men of mature age. The object was on the one hand to assure to them fair treatment, and, on the other hand, to bind them to stay in the service of the Government for a short period (a limited period), in many cases for five years; in some they were for 10 years; and, if retained afterwards, they were to remain under the general rules. The covenanted part of their service would cease then; but in course of time the covenants have been given up, and many of the officers who are appointed are serving in exactly the same way, only they have gone out without covenants.

2489. Then it is not customary to give covenants now?—There are very few now, except in the case of artizans.

2490. One case is mentioned of advantage being taken of a six months' notice in a covenant, which deprived the officer of certain advantages, the object of such notice being economy. Was there more than that one case; were there several cases, or many cases?—No; I was explaining to the Committee yesterday that there were two gentlemen whose salary had through inadvertence been expressed in sterling in the letter offering them the appointment, and after drawing the salary in rupees for two or three years they claimed to have the right of having their salary paid to them in sterling. The Secretary of State said that he did not wish to dispute the question as one of legal right, but that, if they insisted on what was never intended, what was not in the spirit of the contract, he should insist upon his

Mr. *Arthur Pease*—continued.

power of giving them six months' notice to terminate it, and have a fresh agreement made, which would be in the spirit of the original one.

2491. Was such notice given?—No; the officers explained that they had not intended to ask for anything beyond what was fair as a matter of practice. They continued in the service under the general conditions.

2492. Are there any statistics, or any figures which show what is the number of persons that entered the service before 1871, and after 1871; I take 1871 as the period from which the fall of the rupee took place?—I am afraid I cannot answer you at once as to that; the note which I have only refers to the sterling pensions granted since. I have not a note of the general pensioners.

2493. Would such figures be procurable?—They are procurable. I must say, however, that we should have to refer to India to see what pensions had been granted. Pensions are never granted to uncovenanted officers here in England. What happens is this: The Indian Government pensions the officer, and all we know is, that he brings a certificate entitling him to receive his pension at home; therefore, what we could tell you is, the number that have come to England with such certificates. That we could do if necessary.

2494. Supposing it to be possible to pay all salary, pensions, and furlough allowances at 2 *s.* to the rupee, is there any estimate as to what the cost of such equality would amount to?—Yes, the number of pensioners on the 1st April 1889 was 280 who are drawing their pensions in rupees, and I calculate that to give them their pensions in sterling would cost about 4,800 *l.* a year for each penny above the official rate; so that if, instead of paying at 1 *s.* 5 *d.* the rupee, they were paid at 2 *s.*, it would be seven times that amount, or nearly 34,000 *l.* a year.

Mr. *MacNeill.*

2495. You stated in your examination-in-chief that what you call an official rate, as regards the exchange, is struck generally in March?—Yes.

2496. And that that remained for the entire year?—Yes; not what is properly called "an official rate," but what from custom we call the official rate. It is struck in December, to come into force at the end of March.

2497. You said, likewise, that that is simply done as a matter of convenience, or more as a matter of convenience than otherwise?—It is done under an arrangement made with the British Treasury of more than 60 years standing.

2498. Now are you aware (of course you are) that in March 1888, when a further fall in the rupee was contemplated, it was considered advisable, and actually contemplated, only to fix that official rate for six months?—No, you are now referring to another rate altogether, which is fixed by the Treasury, and is not our rate at all.

2499. What is that?—That is what you may find on the table I gave you, called the "Colonial rate." That was a rate based on the price of silver in London; it had nothing to do with

Mr. *MacNeill*—continued.

with remittances to India, but was simply based upon the price of silver in London, and it was used at the Treasury for the payment of the British soldiers' pay.

2500. Soldiers' pay at home?—The British soldiers and sailors serving in Hong Kong, the Mauritius, or Ceylon; those are the colonies to which it was applicable.

2501. And it had nothing to do with the pay, or pension, or furlough of civilians?—Nothing at all.

2502. Did the Public Service Commission give the opinion that the high appointments in the Indian police must necessarily be held at present by Europeans?—I believe they did.

2503. That being so, would it not be proper that pensions to Europeans should be paid in sterling, inasmuch as the appointments can only be filled by them?—No, I am afraid I can only refer you to the explanation I have given of the policy as to appointments made in England, or made in India. But none of the uncovenanted servants have pensions paid in sterling, even if the appointments are made in England.

2504. Then when their salaries are expressed in sterling, and when their pensions are expressed in sterling, does not that contemplate that the pension should be received and enjoyed at home?—The pensions are not expressed in sterling; do you mean salaries expressed in sterling?

2505. I mean salaries expressed in sterling, and the pension would follow the salary, would it not?—No; there was no arrangement that the pension should be drawn at home. That is left to the officer's own choice; he draws it in England or in India as he likes under the conditions laid down.

2506. When the salary is expressed in sterling, is not sterling the standard in the man's mind and in your mind. If your salary was expressed in sterling you would expect it to be paid in sterling, would you not; would not the salary be the standard of value in your own mind?—No; not if I was told that I was to receive 100 *l.* which was to be paid to me at the rate of 1 *l.* being equal to 10 rupees. I should understand that it meant that the salary was to be paid at the rate of 1,000 rupees. That is the only explanation I can give of such a sentence.

2507. Salary paid in pounds?—The salary could not be paid in pounds. There is no opportunity of paying the salary, in India, in pounds.

2508. Are not some of the terms offered of pension and leave rules in despatches to be viewed as contracts between the Indian Government and the uncovenanted service?—I think that the terms offered on which the appointment was accepted are so.

2509. And ought to be viewed as legal contracts?—In the spirit in which they were offered, I think so.

2510. Has Government already conceded in principle that officers appointed locally (those officers appointed by the Governor General and Lieutenant Governors) are to be treated in the same way as officers appointed by the Secretary of State, by granting to several of those officers appointed locally the benefit of the improved

Mr. *MacNeill*—continued.

European rules?—With certain exceptions. They do not have quite all.

2511. The improved leave rules?—Yes, the improved leave rules, in many cases, if the officers were in the service before a certain date; if they have come into the service after that date they do not have the benefit of those rules, unless they were appointed with the Secretary of State's sanction.

2512. What is the date of those rules?—1872 and 1876.

2513. 1872 and 1876; had people, in order to obtain the benefit of the improved rules, to comply with one of two conditions; first of all, the condition of entering the service in England, or the condition of drawing a certain amount of pay at that date?—Yes.

2514. Is there any principle upon which that rule is based, except a miserable rule of thumb?—Yes; the principle was that the Secretary of State would not allow an officer appointed by the local government to be treated as if he were an officer appointed by the Secretary of State; and, as it would have been hard to exclude all the officers who had been appointed gradually, under various conditions, before that rule had been explicitly laid down, he allowed those who were then in the service, and of such a standing (which was measured by their salary) as to be considered equal to those who had been appointed from England, to have the benefit of the better rules. But he said he would not carry that benefit on to a later date, and that officers appointed subsequently were not to have the privilege.

2515. There is despatch after despatch from all the Governors of India, in which the Indian Government protest against that distinction, is there not?—Certainly.

2516. Are some of the witnesses who have appeared even before this Committee enjoying the favourable leave rules, although appointed locally?—Yes, some of the officers if they were in the service before that date, or if they have been subsequently specially admitted to it.

2517. On what grounds can the several concessions granted to certain departments as regards pension, &c., be withheld from officers appointed locally?—Which concessions do you refer to?

2518. I refer very particularly to the concessions in reference to the pensions, the concessions as regards the Engineers, who got very favourable rules?—My explanation of that is, that the concessions granted to the Civil Engineers were specially granted to remove the block of promotion in that department, and that it was in hopes of accelerating retirement. That ground would not be in force for other departments; therefore the concession in the one case would not necessarily be applicable to the other.

2519. It was given to the Engineers, because there were too many of them?—There were too many under the reduced scale of operations.

2520. There are probably not too many in the other departments to make it necessary to reduce them, especially in the Telegraph Department?—I am not aware of there being a block of promotion in other departments.

2521. Sir William Plowden said that in 1854 the

Mr. *Mac Neill*—continued.

the uncovenanted civilians who attained any position of great eminence were very few in number?—Yes.

2522. Has not this uncovenanted service grown to its great magnitude since the time of the Mutiny, since 1858?—Yes, the Public Works Department has very largely increased since that date, and in other departments, too, there has been a very great increase.

2523. As a rule, are not the Non-regulation Provinces (I think that is what you call them, Burmah and these provinces that have come to us since the Mutiny) administered by uncovenanted civilians?—They were very largely administered so, but the policy now is to introduce covenanted civilians where possible.

2524. For all the best posts, the uncovenanted service having borne the burden and heat of the day?—For the purpose of governing the country, Parliament and the home Government have decided that the country shall be administered by the officers of the Civil Service selected by competition.

2525. Is it not the fact that in these Non-regulation Provinces, uncovenanted civilians have positions of greater responsibilty and higher pay than covenanted civilians in many instances?—Necessarily, as the covenanted civilians are gradually introduced to replace them, they must be under the older officers; necessarily so.

2526. And does not it strike you as peculiar that a gentleman, who is practically governing a province, is to retire on 500*l.* a year, while his subordinate will retire on 1,000*l.* a year?—Not if the subordinate has paid for 700*l.* or 800*l.* of that 1,000*l.* I do not see that there is any such peculiarity in that case. It is quite possible that the subordinate officer may, before he receives his 1,000*l.* a year, have contributed enough to buy 700*l.* or 800*l.* a year, or even the whole 1,000*l.*

2527. But then in the salaries of the uncovenanted civilians is not this pension that they receive considered deferred pay?—The salary is the same. The uncovenanted officer and the covenanted officer, on the staff of one of the commissions, will receive exactly the same pay.

2528. And different pension?—And different pension. The only difference in regard to pay is that the uncovenanted officer receives 4 per cent. more than the covenanted, because the covenanted officer is obliged to pay towards his annuity, whereas the uncovenanted officer has no such condition to comply with.

2529. Are you not aware that for 20 years the uncovenanted service (the civilians), were most anxious that there should be a pension fund?—Yes.

2530. Why is it withheld?—I think it is because it was found that the difficulties of working any fund for a service in which there was a large number of natives were insuperable.

2531. You have followed this inquiry very accurately, and you know a great deal about the working of the offices; but has it not struck you, and is it not the result of your experience, that there are many offices held by uncovenanted civilians for which at the present time the natives are ineligible and incompetent?—Yes, that is so.

Mr. *MacNeill*—continued.

2532. Having regard to that fact, why should uncovenanted civilians, who hold offices for which only Europeans are competent, be paid on the expiration of their term, when they contemplate of course coming home, in rupees instead of in pounds?—Because they accepted their appointments on that condition.

Mr. *Barbour.*

2533. In cases where there is obscurity about the contract with civilians, I understand it is the custom of the office to ask for legal advice in the interpretation of the contracts?—Yes.

2534. And that in case of doubt the public servants get the benefit of the doubt?—Yes.

Mr. *Bristowe.*

2535. As I was not here yesterday, I will ask you a question to which I shall be glad to have an answer, unless you have already given the information. We have heard a great deal about the Covenanted and the Uncovenanted Civil Service, and what happens in the case of the gentlemen entering under the various arrangements. Of course it may be ABC to you, but could you, in a very short way, explain to the Committee the difference between the Covenanted and the Uncovenanted Service. I ask you to do that because it appears to me that the great grievance the uncovenanted servants have is that they are not put on the same footing as the covenanted, or virtually that. Could you in a short way explain it, if you have not done so before?—For the general administration of the country, in the higher offices, it has been always the practice to appoint officers from England to a special service, with special conditions of retirement and annuities. They were first appointed from Haileybury College, and now, for 35 years, they have been appointed by public competition. They sign a covenant, which is the reason that the title is given of the "Covenanted Civil Service." In that covenant they bind themselves to obey the orders faithfully, and they agree that they will contribute 4 per cent. of their salaries throughout their term of service towards the provision of their own annuity, and such further percentage as may be required towards the provision of pensions for their families. It is the signing of that covenant which makes a man a member of the Covenanted Civil Service. Any other officer may be called an uncovenanted officer, but there is no whole service that can be called the Uncovenanted Service. It is only a mass of departments or officers who are not covenanted.

2536. Then the covenanted gentlemen really contribute to their own furlough and pensions by this 4 per cent. which they hand over every year?—To their pensions; they do not pay in respect to furlough.

2537. Only their pensions?—Only their pensions, and their families' pensions.

2538. That is the reason why the pensions are paid in sterling; it is so, I believe?—Yes.

2539. It is because they actually contribute to that fund by a payment annually?—Yes.

2540. That is the only difference, then, between the two services, as far as this question of

Mr. *Bristowe*—continued.

of the rupee goes?—Yes, as far as that goes. The covenanted service is a higher service, and by Act of Parliament the higher appointments are reserved for it; but as regards the question of the payment of pensions, the covenanted servant receives an annuity; we do not call it a pension, because it is held that he has bought his annuity by the conditions of the service. The uncovenanted officer receives a pension regulated according to his salary at the time of his retirement.

2541. The covenanted service is a higher service, or is supposed to be a higher service, is it not?—Certainly it is.

2542. To which an engineer from Cooper's Hill cannot attain through that medium?—No, quite so.

Mr. *Buchanan.*

2543. The covenanted servant enters by competition here, does he not?—He does.

2544. There is one point with regard to what Sir William Plowden, or some other Member of the Committee, asked you, with regard to the natives of India who are members of the covenanted service, who have entered by competition; when they earn furlough allowance or pensions, if any of them attain to that, are they paid to them in rupees or in sterling?—In regard to furlough, pay, and annuity, they would be paid exactly the same; they have the same privileges as European members of the covenanted service.

2545. What I was rather wanting to know was this: suppose a native of India, who is a member of the covenanted service, and who is entered by competition, earns his pension, and probably continues to live in India, is it paid to him in rupees or in sterling?—As regards the annuity of the officer there is no difference; he is exactly on a par with the European. He has his choice of receiving his annuity in sterling in England, or in rupees in India. There is a difference in the case of a statutory native civil servant.

2546. That I do not mean; I mean a competition man?—There is no difference in that case. He receives the annuity in sterling if he draws it in England, or in rupees if he draws it in India, which is a provision available for the European officer also.

2547. For the European officer in the covenant also; but if he draws it in India he gets it in rupees?—He draws a certain number of rupees. There is no rate of exchange; it is a fixed number of rupees.

2548. There would be no objection on principle or precedent to a man in the uncovenanted service who drew his pension in England getting it in pounds sterling, and the man who drew it in India getting it in rupees?—So far as regards the Covenanted Civil Service that is the rule, and it could be applied to the uncovenanted service; but it is not paid at the official rate of exchange, it is a special sum, payable in England in sterling and payable in India in rupees.

2549. What I meant was this: there is already a precedent in the case of the covenanted service for men in the same service on accepting terms

Mr. *Buchanan*—continued.

of office under the same conditions being paid, some of them, their pensions in rupees in India, and some of them their pensions in sterling in this country?—Yes, the officer has a right to draw which he likes. He may either draw the 1,000 *l.* in England or he may draw 10,666 rupees in India.

2550. It is absolutely in the option of the individual under the covenanted service to draw his pension of 1,000 *l.* a year in England, or 10,600 rupees in India?—Quite at his option.

Mr. *Bristowe.*

2551. And the native could do it?—The native could do it.

Mr. *King.*

2552–3. Wherever he resides?—Yes, at those rates he may draw his annuity in India or in England, wherever he resides.

Chairman.

2554. The question is, whether there is any condition of residence?—Yes. The officer may draw it where he pleases; but, if he is resident in India he may exercise the option of receiving the equivalent of his 1,000 *l.* there, at the official rate of exchange, instead of the sum of 10,666 rupees.

Mr. *Barbour.*

2555. You think possibly an officer residing in India might draw his pension in England?—Yes, he may do so, if he prefers it.

Chairman.

2556. A covenanted civilian residing in India might draw his pension in London?—Yes.

Mr. *Buchanan.*

2557. Are there any cases in which uncovenanted civil servants draw their pensions in India, and remit them home, so far as you are aware?—We do not know whether they do or not. We only know if they draw them at the India Office. An uncovenanted officer may draw his pension in India, and remit it home, without any question.

2558. You do not know as a fact whether any of them do so?—I cannot answer that; I know that they have done it, if that will answer your question; I know that there have been cases in which they have done so, because we have frequently had the certificate brought home, showing that the officer had been drawing his pension in India before.

2559. What you described as the local service in India is not an official distinction, is it?—No, the Indian services is the title adopted in the code, as distinguished from the European services.

2560. Are all those (in what you describe as the local service in India) officers of the Government under the same furlough rules?—Unless they have been specially allowed other privileges. The civil engineers appointed in India with European training have been allowed to come under the better rules.

Mr. *Buchanan*—continued.

2561. I want to know whether these men who have these special privileges have been specially exempted; are civil engineers, and others who have got special furlough privileges, men in the local service as well as men appointed by the Secretary of State?—There have been such concessions to men in the local service, if they had had such a training as the Secretary of State was willing to recognise as virtually European service or training.

Mr. *King.*

2562. There are also besides those the gentlemen who, on the right side of the arbitrary line which was drawn in 1876, are in the local service, and get better rules; is not that so?—Yes; that is by reason of their having held a certain standing at that date.

Mr. *Buchanan.*

2563. As to that proviso about the £. being taken for 10 rupees, of which we have heard a great deal in the covenants, when did that first disappear from the covenants made with the covenanted civilians?—I find that the covenants granted in 1855 had the clause. The covenants granted in 1861 in the Public Works Department had not; but one in the Education Department had it. A covenant granted in 1868 (also in the Public Works Department) had not; but in the Telegraph Department one had. I think the last occasion of its being put in was in the telegraph covenants of 1870.

2564. And since that time?—In the year 1871 the Secretary of State passed an Order that all furlough allowances for covenanted civil servants, military officers in civil employ, or uncovenanted officers, should be paid at the fluctuating official rate; and consequently when covenants were made, such a provision was inserted; and the clause stating that 1 *l.* was equal to 10 rupees vanished.

Sir *William Plowden.*

2565. It is not necessarily a covenant, is it?—The covenanted officers draw their furlough pay at the official rate of exchange, but they are to a great extent protected by the minimum rates that they may draw in sterling. A covenanted officer whose furlough pay would be between 500 *l.* and 1,000 *l.* a year would receive it at the fluctuating rate. Suppose his half-salary was 7,000 rupees, he would receive 700 *l.*, if the rate happened to be 2 *s.* at the time; and he would receive only 6,000 rupees if the rate brought out that proportion. It varies, but he has the great advantage of having the minimum of 500 *l.*, whether the fluctuating rate would bring it below that amount or not.

Mr. *Buchanan.*

2566. I do not quite understand that. At the present moment the furlough allowances of the covenanted civilians are paid partly at the rate of 2 *s.* to the rupee and partly at the official rate?—No, they are paid all at the official rate; but an officer in the covenanted service receives not less than 500 *l.*

Chairman.

2567. Paid at the official rate, but guaranteed to be not less than 500 *l.*?—Yes.

Mr. *Buchanan.*

2568. There is one other question in regard to your evidence. I did not quite understand the exceptions; I dare say it was my fault. What were the exceptions, or were there any in the case of those gentlemen who, under the 1831 rules, got pensions without a medical certificate?—Under the Despatch of 1854, if they had put in 35 years' service, they were allowed pensions without medical certificate.

Mr. *MacNeill.*

2569. Was it not the case under the 1831 rules, that any man who served for 30 years certainly got the medical certificate as being incompetent to serve any more; it was given as a matter of course, was it not?—I am not able to say under what circumstances those medical certificates were given.

2570. Was a man of 30 years' service ever refused his medical certificate?—That I cannot tell you, because it would only occur in India. I can only say that men served very long periods, some of them as long as 45 years, 50 years, 57 years, and in one case 60 years.

Chairman.

2571. With regard to that estimate of cost which you gave to Mr. Pease for the payment of pensions at sterling rates, was that based upon the pensions now paid in London?—Yes; on pensions paid on the 1st of April 1889.

2572. Are you of opinion that the adoption of such a rule would cause the pensions paid in London to be very largely increased?—I think it would certainly have a tendency in that direction; but even without that the tendency of the pension list is to increase, so that the sum I named would be the minimum cost of the concession.

2573. It has been suggested, in the course of the inquiry, that furlough pay should also be paid at fixed rates; have you any estimate of the cost of doing that?—Yes; that is a much heavier expense, owing to the point I was just now mentioning, that it would include the covenanted officers and military officers as well. On the furlough allowances granted last year, the extra cost of paying them at 2 *s.*, instead of at 1 *s.* 5 *d.*, would be 73,600 *l.* a year.

2574. Have you made any estimate as to what would be the cost of paying family remittances at sterling rates?—That is a more difficult matter for which to give an estimate, because the amount of the remittances varies so much. Taken on the last year for which we have the account, it would be 75,000 *l.* a year to pay them at 2 *s.*, instead of at 1 *s.* 5 *d.* The total cost of the three would come, as a minimum, to about 180,000 *l.* a year.

Mr. *Bristowe.*

2575. That is, if it is taken at the rate of 1 *s.* 5 *d.*, is it not?—As compared with 1 *s.* 5 *d.*; of course, if the official rate were higher, the cost would be less.

2576. The

Chairman.

2576. The furlough pay of military officers is also paid in rupees, is it not?—It is if they are in civil employ. By the last military furlough rules the payment for those on military duty is fixed absolutely in sterling.

Mr. *MacNeill.*

2577. That is quite recent?—That is quite recent. Those are the Rules of 1886.

Mr. *King.*

2578. I should like to ask you one question as regards your estimate of the cost. In the case of the payment of furlough, the amount would be largely altered if it was made on the same or similar basis (I do not say on the same terms, but the same basis) as that of the covenanted service, namely, by fixing the minimum to be received in sterling?—Of course the concession of a fixed minimum rate is very much less than the concession of payment at 2*s.*

2579. And the question of family remittances, I think, has not been raised?—It was alluded to by one of the witnesses, and it is mentioned in the Case. Perhaps I had better hand in a Paper with reference to what Mr. King has said, showing "the amount of furlough allowances paid in England in rupees per annum, in the year ended 31st March 1890."

Mr. *King*—continued.

Chairman.

2580. If you have the Paper containing the estimated cost it would be well that it should be handed in. (*The same was handed in.*)

Mr. *King.*

2581. I suppose, if residence in the country were made a ground for paying the pension, that would considerably influence your estimate?—I did not refer to the increase of cost owing to natives of India coming to England, but rather to the evidence the witnesses have given, to the effect that many Europeans are prevented from coming home by the low furlough pay. It follows from that, that if the furlough pay were higher more would come.

2582. The pensions I am speaking of?—The same would apply to pensioners also. The evidence was that they hang on as long as possible, on account of the low pensions; therefore, I infer that if they had better pensions the tendency would be to an increase of charge in that direction also.

2583. You are speaking simply with regard to Europeans, are you not?—Yes, with regard to Europeans.

APPENDIX.

APPENDIX, No. 1.

PAPER handed in by Mr. *T. Hesketh Biggs*, 24th July 1890.

It is to the advantage of Government that both Europeans and natives of the higher ranks of the service should take leave to England, and furlough counting towards pension might be an inducement to those natives who wish to improve themselves to visit England. It would not practically alter the rules for the bulk of the Uncovenanted men, as their small salaries prevent their taking leave out of India.

The term of service for Public Works Officers appointed by the Secretary of State is 20 years.

That higher rates of pension are necessary for the higher officers of the Uncovenanted Service has been acknowledged by the Secretary of State, for he has already sanctioned the grant of these extra pensions in certain cases. A few more would gain by the rule being made general.

THE following are the rules suggested :—

Proposed Leave and Pension Rules.

I.—Service to commence from date of appointment, or the age of 20, whichever is latest.

II.—A furlough of two years out of India, or of one year if taken in India, to be allowed after eight years' service, and three months' furlough to be earned for each year's service after, up to a total altogether of six years, not more than five of which may be taken in India ; leave on medical certificate to be granted when necessary, and to count against furlough ; two years in 20 years' service, and four in 25, to count as service for pension, provided that it is taken out of India. The absentee allowance to be calculated at half average salary, and limited to a maximum of Rs. 833-5-4 per mensem.

III.—Pension on medical certificate to be granted after 10 years' service, and up to 30 years, 1-60th of salary being allowed for each year's service ; the maximum limit of pension after 10 years to be Rs. 2,000 a year, and the limit to increase by Rs. 200 each year up to Rs. 5,000 after 25 years' service. Europeans brought up and educated in England or Europe, not domiciled in India, to be allowed to retire voluntarily on similar pensions without medical certificate after 20 years' service.

IV.—A good service pension to be granted after 30 years' service, calculated at 50 per cent. of salary, and limited to Rs. 5,000 a year.

V.—Officers holding appointments carrying salaries between Rs. 1,000 and Rs. 2,000 to receive an extra pension of Rs. 1,000 per annum, in addition to the ordinary pension, and irrespective of the number of years served ; those in receipt of Rs. 2,000 per mensem and upwards, Rs. 2,000 per annum.

VI.—No officer holding an appointment the salary of which is Rs. 3,000 per mensem, or more, to be allowed to retain his appointment longer than five years, without the special sanction of the Secretary of State.

VII.—No officer holding an appointment the salary of which is Rs. 1,000 and upwards to be allowed to remain in the service after the age of 55, without the sanction of the Secretary of State.

VIII.—One Annuity Fund to be allowed, to which all officers may subscribe.

IX.—Officers who take leave, or retire and reside, beyond Indian limits, to be allowed to draw their absentee allowances or pensions, as the case may be, at the rate of 2*s.* to the rupee.

APPENDIX, No. 2.

PAPER handed in by Mr. *Henry Waterfield*, C.B., 25 July 1890.

AMOUNT of FURLOUGH ALLOWANCES paid in *England*, in Rupees per Annum, in the Year ended 31st March 1890.

1.	Converted into Sterling at: 1 s. 5 d. 2.		1 s. 4½ d. 3.	2 s. 4.		Totals of Columns 2–4. 5.		The Total Amount is stated below, assuming Columns 2 and 3 to be converted at the respective Rates named: 1 s. 6 d. 6.	1 s. 7 d. 7.	1 s. 8 d. 8.	1 s. 9 d. 9.	1 s. 10 d. 10.	1 s. 11 d. 11.	2 s. 12.
	No.	£.	£.	*No.*	£.	*No.*	£.	£.	£.	£.	£.	£.	£.	£.
ABSENTEE ALLOWANCES:														
Covenanted Civilians	102	7,494	41,530	–	—	102	49,024	53,240	56,198	59,156	62,113	65,071	68,028	70,987
Uncovenanted Civilians	329	10,933	45,959	39	11,182	368	68,074	72,896	76,324	79,753	83,180	86,609	90,038	93,466
Civilians whose allowances are wholly or in part chargeable to other than Indian Revenues	8	258	1,885	1	427	9	2,570	2,757	2,887	3,016	3,145	3,274	3,404	3,533
FURLOUGH PAY:														
Military, Medical, and Warrant Officers	198	6,827	44,506	51	23,450	249	74,783	79,231	82,329	85,428	88,527	91,626	94,724	97,823
Military Officers, &c., whose furlough pay is wholly or in part chargeable to other than Indian Revenues	2	129	542	–	—	2	671	728	768	808	849	889	929	970
Indian Marine	20	332	1,727	–	—	20	2,059	2,235	2,360	2,484	2,609	2,733	2,858	2,982
Bengal Pilot Service	13	270	1,798	1	193	14	2,261	2,440	2,565	2,690	2,815	2,940	3,065	3,190
Marine Officer, whose pay is partly charged to other than Indian Revenues	–	20	146	–	—	–	166	180	190	200	211	221	231	241
						764	199,608	213,707	223,621	233,535	243,449	253,363	263,277	273,192
Difference between the totals at the rates stated and the sum which would have been paid had the rate been 2 s. for all						–	73,584	59,485	49,571	39,657	29,743	19,829	9,915	—
TOTAL						764	273,192	273,192	273,192	273,192	273,192	273,192	273,192	273,192

India Office, 1 April 1890.

Thomas W. Keith, Accountant General.

REPORT

FROM THE

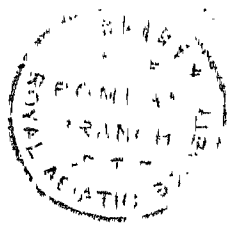
SELECT COMMITTEE

ON

EAST INDIA (CIVIL SERVANTS);

WITH THE

PROCEEDINGS OF THE COMMITTEE.



Ordered, by The House of Commons, *to be Printed,*
29 *July* 1890.

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East India (Civil Servants).

[*Monday, 23rd June* 1890]:—*Ordered,* That a Select Committee be appointed to consider and Report upon the alleged Grievances of the Uncovenanted Civil Servants of India, arising from the change in the relative value of Gold and Silver Money, and their Leave and Pension Rules.

Committee nominated of—

Mr. King.
Mr, Howorth.
Sir Stafford Northcote.
Mr. Bristowe.
Viscount Baring.
Sir William Plowden.
Mr. Barbour.
Mr. Alfred Pease.
Mr. Buchanan.
Mr. MacNeill.
Sir John Gorst.

That the Committee have power to send for Persons, Papers, and Records.

That Five be the Quorum of the Committee.

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REPORT.

THE SELECT COMMITTEE appointed to consider and Report upon the alleged Grievances of the UNCOVENANTED CIVIL SERVANTS of INDIA, arising from the change in the relative value of Gold and Silver Money, and their Leave and Pension Rules:——HAVE considered the matters to them referred, and have agreed to the following REPORT:—

YOUR Committee are of opinion:

1. That the unforeseen change in the relative value of gold and silver money affords equitable grounds for a re-adjustment of the pensions of Uncovenanted Civil Servants resident in the United Kingdom.

Your Committee have taken evidence, and have agreed to the following Resolutions:—

2. That a minimum rate of exchange for payment of pensions should be fixed by the Government.

3. That the minimum rate shall be One shilling and ninepence (1 *s.* 9 *d.*) to the rupee.

4. That no distinction in the furlough and pension rules should be made between Europeans and Natives of India.

5. That some period of furlough should in all cases count as service for pension.

6. That pensionable service should commence at the age of 20.

Your Committee are further of opinion that the greater part of the grievances of the Uncovenanted Service is due to the ambiguity in which the terms of service have from time to time been stated, and recommend that in future there shall be as nearly as possible a uniform scheme, which shall explicitly describe the terms of pension and furlough.

Your Committee have had their attention called to the obstacles in taking furlough, arising from the insufficiency of the present furlough pay, and they recommend this matter to the consideration of the Secretary of State in Council.

29 *July* 1890.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 2nd July 1890.

MEMBERS PRESENT:

Mr. Barbour.
Mr. Bristowe.
Mr. Buchanan.
Sir John Gorst.
Mr. Howorth.
Mr. King.
Sir William Plowden.
Mr. Alfred Pease.
Viscount Baring.
Mr. MacNeill.

Sir JOHN GORST was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 8th July 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Sir William Plowden.
Mr. Arthur Pease.
Mr. Bristowe.
Mr. Buchanan.
Mr. Howorth.
Viscount Baring.
Mr. Barbour.
Mr. MacNeill.

Mr. *Edward Jenkins* was examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 10th July 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. King.
Mr. Pease.
Mr. Buchanan.
Mr. Bristowe.
Mr. Barbour.
Mr. MacNeill.

Mr. *G. J. Heynes*, Mr. *C. J. Rivett Carnac*, Mr. *F. C. Barnes*, Mr. *G. M. Drury*, Mr. *George O'Donnell*, Mr. *F. T. Rowe*, M.A., Mr. *Sydney Hutchinson*, and Mr. *A. Dalzell*, were examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 15*th July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Viscount Baring.	Sir William Plowden.
Mr. Bristowe.	Mr. Buchanan.
Mr. King.	Mr. Howorth.

Mr. *Robert Arthur Read*, Mr. *Thomas Ellis Owen*, Mr. *Frederick Robert Upcott*, Mr. *Henry A. Shrapnell Fenner*, Mr. *Paul Dangerfield*, Mr. *John Elston*, Mr. *William John Green*, and Mr. *T. P. Davidson*, were examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 17*th July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Barbour.	Sir William Plowden.
Mr. Bristowe.	Viscount Baring.
Mr. King.	Mr. Buchanan.
Sir Stafford Northcote.	Mr. Howorth.

Mr. *Stanley De'Brath*, Mr. *R. R. Menneer*, Mr. *Morris Leslie*, Sir *Bradford Leslie*, K.C.S.I., Mr. *Stack*, Mr. *W. M. Fletcher*, Mr. *Thomas Jones*, and Mr. *P. V. Luke*, C.I.E., were examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 22*nd July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Sir William Plowden.	Mr. King.
Mr. Bristowe.	Mr. Howorth.
Mr. Buchanan.	Mr. Alfred Pease.
Mr. Barbour.	

Mr. *J. Chisholm*, Mr. *H. E. Watson*, Mr. *W. R. Fisher*, Mr. *A. S. Betts*, Mr. *L. P. Walsh*, Mr. *William Smith*, Mr. *Henry Prince*, Mr. *H. B. Medlicott*, Dr. *C. A. Martin*, Mr. *J. H. Merriman*, Mr. *Peter Hordern*, and Mr. *S. J. Harrison*, were examined.

The room cleared.—Committee deliberated.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 24*th July* 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. King.	Mr. Barbour.
Mr. Buchanan.	Mr. MacNeill.
Mr. Alfred Pease.	

Mr. *Hesketh Biggs*, Mr. *Henry Alfred Greig*, and Mr. *H. Waterfield*, C.B., were examined.

[Adjourned till To-morrow, at Twelve o'clock.

Friday, 25th July 1890.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Bristowe.	Sir William Plowden.
Mr. King.	Mr. Buchanan.
Mr. Alfred Pease.	Mr. Barbour.
Mr. MacNeill.	

Mr. *Henry Waterfield*, C.B., was further examined.

The Committee deliberated.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 29th July 1889.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Bristowe.	Mr. King.
Sir William Plowden.	Mr. Howorth.
Sir Stafford Northcote.	Mr. Alfred Pease.
Mr. Buchanan.	Mr. Barbour.

The Committee deliberated.

Motion made, and Question, "That the Committee are of opinion that the unforeseen change in the relative value of gold and silver money, affords equitable grounds for a re-adjustment of the pensions of Uncovenanted Civil Servants resident in the United Kingdom"—(Mr. *King*),—put, and *agreed to.*

Motion made, and Question, "That the Committee are of opinion that a minimum rate of exchange for payment of pensions should be fixed by the Government"—(Sir *William Plowden*),—put, and *agreed to.*

Motion made, and Question put, "That the fixing of the minimum rate should be left to the discretion of the Secretary of State"—(Mr. *Barbour*).—The Committee divided:

Ayes, 3.	Noes, 6.
Mr. Barbour.	Mr. Bristowe.
Mr. Buchanan.	Mr. Howorth.
Sir William Plowden.	Mr. King.
	Mr. MacNeill.
	Sir Stafford Northcote.
	Mr. Alfred Pease.

Motion made, and Question proposed, "That the Committee recommend that the minimum rate be 1 *s.* 9 *d.* to the rupee"—(Mr. *Bristowe*).—Amendment proposed, after the word "recommends" to insert the words "if found possible, on due consideration being given by the Secretary of State in Council to the financial exigencies of the Indian Exchequer"—(Mr. *Buchanan*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.	Noes, 6.
Mr. Barbour.	Mr. Bristowe.
Mr. Buchanan.	Mr. Howorth.
Sir William Plowden.	Mr. King.
	Mr. MacNeill.
	Sir Stafford Northcote.
	Mr. Alfred Pease.

Main Question put, and *agreed to.*

Resolved, That the Committee recommend that the minimum rate be 1 *s.* 9 *d.* to the rupee.

Motion made, and Question, "That the Committee are of opinion that no distinction in the furlough and pension rules should be made between Europeans and Natives of India"—(Sir *William Plowden*),—put, and *agreed to.*

Motion

Motion made, and Question, "That the Committee are of opinion that some period of furlough should in all cases count as service for pension"—(Sir *William Plowden*),—put, and *agreed to.*

Motion made, and Question, "That pensionable service should commence at the age of 20"—(Mr. *King*),—put, and *agreed to.*

Question, "That these Resolutions be reported to the House,"—put, and *agreed to.*

DRAFT REPORT, proposed by the *Chairman*, brought up, and read the first time, as follows:—

"Your Committee have heard evidence, and have agreed to the following Resolutions:

"The Committee are of opinion—1. That the unforeseen change in the relative value of gold and silver money affords equitable grounds for a re-adjustment of the pensions of Uncovenanted Civil Servants resident in the United Kingdom.

"2. That a minimum rate of exchange for payment of pensions should be fixed by the Government.

"3. That the minimum rate shall be one shilling and ninepence (1 *s.* 9 *d.*) to the rupee.

"4. That no distinction in the furlough and pension rules should be made between Europeans and Natives of India.

"5. That some period of furlough should in all cases count as service for pension.

"6. That pensionable service should commence at the age of 20.

"Your Committee are further of opinion that the greater part of the grievances of the uncovenanted service is due to the ambiguity in which the terms of service have from time to time been stated, and recommend that in future there shall be as nearly as possible a uniform scheme which shall explicitly describe the terms of pension and furlough.

"Your Committee have had their attention called to the obstacles in taking furlough, arising from the insufficiency of the present furlough pay, and they recommend this matter to the consideration of the Secretary of State in Council."

DRAFT REPORT read a second time.

Question, "That this Report be the Report of the Committee to the House,"—put, and *agreed to.*

Ordered, To Report, together with the Minutes of Evidence, and an Appendix.

REPORT

FROM THE

SELECT COMMITTEE

ON

EAST INDIA (CIVIL SERVANTS):

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
29 *July* 1890.

[*Price* 1 *d.*]

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